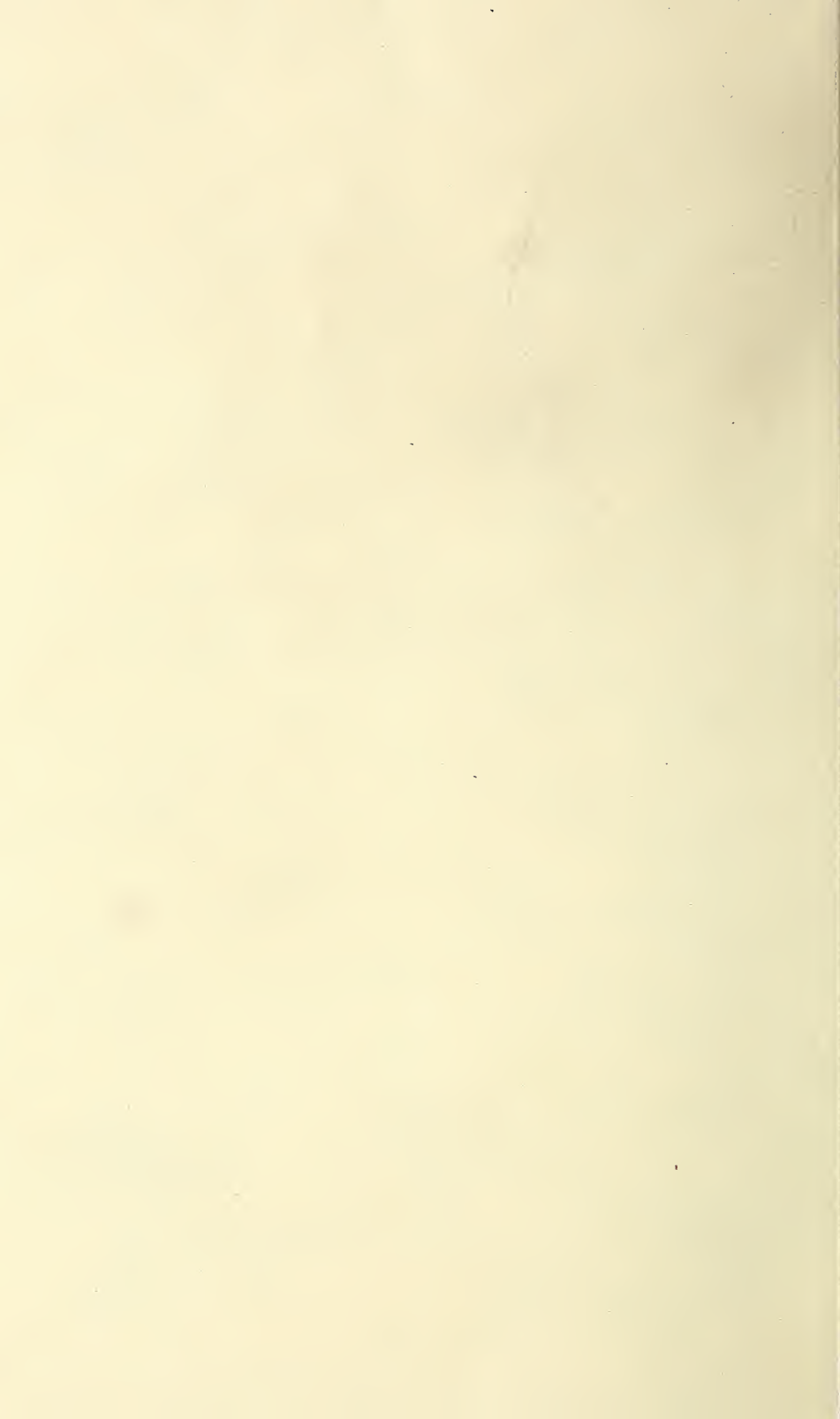


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United States Department of Agriculture

SERVICE AND REGULATORY ANNOUNCEMENTS

BUREAU OF CHEMISTRY

SUPPLEMENT

N. J. 14501-14550

[Approved by the Secretary of Agriculture, Washington, D. C., January 13, 1927]

NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT

[Given pursuant to section 4 of the food and drugs act]

14501. Misbranding of Bronchini. U. S. v. 24 Bottles, et al., of Bronchini. Default decrees of condemnation, forfeiture and destruction.
(F. & D. Nos. 19861, 19902. S. Nos. E-3945, E-3948.)

On March 9 and 20, 1925, respectively, the United States attorney for the Northern District of West Virginia, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 197 bottles of Bronchini, at Wheeling, W. Va., alleging that the article had been shipped by William M. Chappellear & Sons Co., from Zanesville, Ohio, in various consignments, April 18 and October 29, 1924, and February 20, 1925, respectively, and transported from the State of Ohio into the State of West Virginia, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: (Bottle) "Chappellear's Bronchini * * * Relieves Bronchitis * * * When cough is very distressing, repeat the dose * * * Croup * * * For severe attacks of Asthma," (wrapper) "Bronchini * * * For The Relief Of Bronchitis * * * Sore Throat, Asthma, Influenza, Croup, Throat and Lung Troubles."

Analysis by the Bureau of Chemistry of this department of a sample of the article showed that it consisted of ammonium chloride, extracts of plant drugs, flavoring material including anise and sassafras oils, sugar, alcohol, and water.

Misbranding of the article was alleged in the libels for the reason that the labels on the bottles containing the article declared that it contained 40 per cent by volume of alcohol, which declaration was false and misleading, in that the said article contained much less than 40 per cent by volume of alcohol.

Misbranding was alleged for the further reason that the labeling contained the following statements, regarding the curative and therapeutic effects of the article: (Circular) "Bronchini The Great Cough Remedy By its peculiar influence over disease of the throat and respiratory organs, it has given relief when quick results were essential. Bronchini will stop cough instantly. A cold induces cough at night. One or two doses of Bronchini given on retiring will bring perfect rest during the night. One dose on arising will clear up the throat and relieve the cough during the day. Bronchitis follows colds. If you can arrest the disease before it reaches the lungs you have accomplished much, as it will surely enter the lungs if neglected. Bronchini is the only cough cure we have ever known that will most certainly produce the desired effect in the treatment of Bronchial cough. Croup can be prevented, and night croup in all cases can be cured by its use. Bronchini should be given on first appearance

of hoarseness, and on retiring, giving such doses as are prescribed in cases of croup * * *. Diphtheria prevails in every locality. Pneumonia, Influenza and other throat and lung diseases are common in most countries. All these can be prevented and cured by the regular use of Bronchini, thus saving many children and people of all ages and conditions. The weather is changeable, people contract colds, vitality is lowered, subjecting them to the danger of contracting Consumption. Cure the cold, stop the cough, and you are on the road to health and happiness. Bronchini will do it. * * * Sold * * * on a guarantee to prove satisfactory or money refunded. * * * Bronchini, the great cough cure * * * prevents croup and will cure it. * * * After taking Bronchini, breathing is easy, * * * always stops a cough as soon as taken," which statements were false and fraudulent, since the article contained no ingredients or combination of ingredients capable of producing the effects represented by said statements.

On October 20, 1925, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

14502. Adulteration of evaporated apples. U. S. v. 23 Boxes of Evaporated Apples. Default decree of forfeiture and destruction entered.
(F. & D. No. 19094. I. S. No. 22652-v. S. No. C-4508.)

On October 27, 1924, the United States attorney for the Southern District of Mississippi, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 23 boxes of evaporated apples, remaining in the original unbroken packages at Jackson, Miss., alleging that the article had been shipped by A. C. Hamilton & Co., Fayetteville, Ark., on or about September 15, 1924, and transported from the State of Arkansas into the State of Mississippi, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Evaporated Apples Mount Sequoyah Brand Packed By A. C. Hamilton & Co., Fayetteville, Ark."

It was alleged in substance in the libel that the article was adulterated in violation of section 7 of the act, paragraphs 1 and 2, in that it contained an excess of moisture, which said moisture had been mixed and packed with the article so as to injuriously affect its quality.

On May 10, 1926, no claimant having appeared for the property, judgment of forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

14503. Misbranding of cottonseed meal. U. S. v. 390 Sacks of Cottonseed Meal. Decree finding product misbranded and ordering its release under bond. (F. & D. No. 20854. I. S. No. 371-x. S. No. W-1883.)

On or about February 24, 1926, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 390 sacks of cottonseed meal, remaining in the original unbroken packages at Denver, Colo., consigned by Spears & Co., El Paso, Tex., alleging that the article had been shipped from El Paso, Tex., on or about January 28, 1926, and transported from the State of Texas into the State of Colorado, and charging misbranding in violation of the food and drugs act. The article was labeled in part: "43% Protein Cotton Seed Meal * * * Manufactured By Spears & Company El Paso, Texas Guaranteed Analysis Crude Protein Not Less Than 43.00 per cent."

Misbranding of the article was alleged in the libel for the reason that the statements, "43% Protein" and "Crude Protein Not Less Than 43.00 per cent," borne on the label, were false and misleading and deceived and misled the purchaser, since the said article did not contain 43 per cent of protein.

On March 23, 1926, Spears & Co., El Paso, Tex., having appeared as claimant for the property, a decree was entered, adjudging the product mislabeled in violation of the law, and it was ordered by the court that the said product be released to the claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$500, conditioned in part that it be relabeled according to its true and correct contents.

W. M. JARDINE, *Secretary of Agriculture.*

14504. Adulteration of canned salmon. U. S. v. 250 Cases and 245 Cases of Salmon. Consent decrees of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 18140, 18256, 18257, 18258. I. S. Nos. 11240-v, 18118-v, 18119-v, 18120-v. S. Nos. C-4216, C-4251.)

On or about December 6, 1923, and January 3, 1924, respectively, the United States attorney for the Middle District of Tennessee, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 495 cases of salmon, remaining in the original unbroken packages at Nashville, Tenn., alleging that the article had been shipped by the F. C. Barnes Co. (or F. C. Barnes & Co.), Seattle, Wash., in part on or about October 27, 1923, and in part on or about November 9, 1923, and transported from the State of Washington into the State of Tennessee, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (Case and can) "Defender Brand Red Cohoe" (on cases "Alaska") "Salmon." The said cases were further labeled, "Packed by F. C. Barnes, Portland, Oregon at Lake Bay, Alaska," or "Packed by F. C. Barnes & Co. Portland or Lake Bay, Alaska." The cans were further labeled, "Packed for F. C. Barnes Co. of Portland, Oregon" or "Packed For F. C. Barnes & Co. Portland, Ore."

Adulteration of the article was alleged in the libels for the reason that it consisted wholly or in part of a filthy, decomposed and putrid animal substance.

On March 18, 1926, F. C. Barnes & Co., Portland, Oreg., having appeared as claimant for the property and having consented to the entry of decrees, judgments of condemnation were entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of bonds in the aggregate amount of \$1,250, conditioned in part that it not be sold or otherwise disposed of contrary to law. The decrees further provided that the claimant might ship the product to Portland, Oreg., to be examined, sorted and reconditioned, and make use of the portion fit for human consumption, and that if it could not be so reconditioned it might be disposed of for chick or fox feed.

W. M. JARDINE, *Secretary of Agriculture.*

14505. Adulteration of canned cherries. U. S. v. 106 Cases of Canned Cherries. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 20766. I. S. No. 5755-x. S. No. E-5611.)

On January 14, 1926, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 106 cases of canned cherries, remaining in the original unbroken packages at Warren, Pa., alleging that the article had been shipped by the Fredonia Salsina Canning Co., from Fredonia, N. Y., on or about September 1, 1925, and transported from the State of New York into the State of Pennsylvania, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Glendora Brand Red Sour Pitted Cherries Packed For Smith & Horton Co. Limited, Warren, Pa."

It was alleged in the libel that the article was adulterated, in that it contained excessive decomposed, spotted cherries, and worms, also excessive pits, and further that it consisted in whole or in part of a filthy, decomposed or putrid vegetable substance.

On June 24, 1926, the Fredonia Salsina Canning Co., Fredonia, N. Y., claimant, having admitted the allegations of the libel and having consented to the condemnation and forfeiture of the product, an order of the court was entered, providing that the said product be released to the claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$500, conditioned in part that it be relabeled and reconditioned under the supervision of this department.

W. M. JARDINE, *Secretary of Agriculture.*

14506. Adulteration of canned sardines. U. S. v. 21 Cases of Sardines. Default decree of condemnation, forfeiture and destruction. (F. & D. No. 20416. I. S. No. 6938-x. S. No. E-5490.)

On September 8, 1925, the United States attorney for the Northern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 21 cases of sardines, at Binghamton, N. Y., alleging that

the article had been shipped by the Seacoast Canning Co., Eastport, Me., on or about July 9, 1924, and transported from the State of Maine into the State of New York, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Sea Lion Brand, Maine Sardines * * * Packed By Seacoast Canning Co. Eastport, Me."

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed or putrid animal substance.

On December 18, 1925, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

14507. Adulteration of canned sardines. U. S. v. 15 Cases of Sardines. Default decree of condemnation, forfeiture and destruction. (F. & D. No. 19532. I. S. No. 13494-v. S. No. E-4966.)

On January 26, 1925, the United States attorney for the Northern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 15 cases of sardines, at Oneonta, N. Y., alleging that the article had been shipped by the Bayshore Sardine Co., Columbia, Me., on or about September 3, 1924, and transported from the State of Maine into the State of New York, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "B & S Brand American Sardines * * * Packed By Bayshore Sardine Co., Addison, Me."

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed or putrid animal substance.

On August 20, 1925, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

14508. Adulteration of canned sardines. U. S. v. 15 Cases of Sardines. Default decree of condemnation, forfeiture and destruction. (F. & D. No. 20414. I. S. No. 6936-x. S. No. E-5488.)

On September 8, 1925, the United States attorney for the Northern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 15 cases of sardines, at Schenectady, N. Y., alleging that the article had been shipped by the Maine Cooperative Sardine Co., Eastport, Me., on or about July 9, 1925, and transported from the State of Maine into the State of New York, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Sea Lion Brand Maine Sardines * * * Packed By Seacoast Canning Co. Eastport, Me."

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed or putrid animal substance.

On December 18, 1925, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

14509. Adulteration of canned sardines. U. S. v. 3 Cases and 9 Cases of Sardines. Default decree of condemnation, forfeiture and destruction. (F. & D. No. 19223. I. S. Nos. 13358-v, 13371-v. S. No. E-5035.)

On December 5, 1924, the United States attorney for the Northern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 12 cases of sardines, at Syracuse, N. Y., alleging that a portion of the article had been shipped by L. D. Clark & Son, Eastport, Me., on or about September 5, 1924, and that the remainder had been shipped from Boston, Mass., on or about November 7, 1924, and that the said article had been transported in interstate commerce from the respective States of Maine and Massachusetts, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Banquet Brand American Sardines * * * Packed At Eastport, * * * Me. By L. D. Clark & Son."

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed or putrid animal substance.

On August 25, 1925, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

14510. Misbranding and alleged adulteration of buchu leaves, burdock root, and skullcap herb, and misbranding of valerian English, red clover flowers, goldenseal and mandrake root. U. S. v. $5\frac{1}{2}$ Pounds of Buchu Leaves, et al. **Default decrees of condemnation, forfeiture and destruction.** (F. & D. Nos. 20041, 20042, 20043, 20313, 20318. I. S. Nos. 13546-v, 13547-v, 13549-v, 13550-v, 24932-v, 24933-v, 24937-v. S. Nos. E-5302, E-5422.)

On May 21 and August 7, 1925, respectively, the United States attorney for the Northern District of New York, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of $9\frac{1}{2}$ pounds of red clover flowers, $4\frac{1}{2}$ pounds of goldenseal, $4\frac{1}{2}$ pounds of mandrake root, $5\frac{1}{2}$ pounds of buchu leaves, $2\frac{1}{2}$ pounds of burdock root, 4 pounds of skullcap herb, and $5\frac{1}{2}$ pounds of valerian English, alleging that the articles had been shipped by G. S. Cheney Co., Boston, Mass., in various consignments, on or about December 18, 1924, January 15, February 4, and March 16 and 17, 1925, respectively, and transported from the State of Massachusetts into the State of New York, and charging adulteration and misbranding, as hereinafter set forth, in violation of the food and drugs act as amended. The articles were labeled in part, respectively: (Red clover flowers) "An excellent remedy for cancerous ulcers, corns, etc.," (goldenseal) "Invaluable in dyspepsia, erysipelas, remittent, intermittent and typhoid fevers, torpor of the liver, etc.," (mandrake root) "Valuable in jaundice, bilious and intermittent fever, scrofula, syphilis, liver complaint, etc.," (buchu leaves) "Much Used in Kidney and Urinary Disorders," (burdock root) "Used in scorbutic syphilitic scrofulous gout and leprous diseases," (valerian English) "Used in chorea, nervous debility, hysteria, and low forms of fever where a nervous stimulant is required," (skullcap herb) "Valuable in all nervous complaints, chorea, wakefulness, delirium tremens, convulsions, excitability, etc."

Adulteration was alleged with respect to the buchu leaves and burdock root for the reason that they were sold under names recognized in the United States Pharmacopoeia and differed from the standard of strength, quality and purity of the official drug, the chemical analyses showing that the former contained 5.23 per cent of ash, and that the latter contained 8.13 per cent of ash. Adulteration of the skullcap herb was alleged for the reason that it was sold under and by a name recognized in the National Formulary and differed from the standard of strength, quality and purity as determined by the test laid down in said National Formulary, official at the time of investigation.

Misbranding of the articles was alleged in substance in the libels for the reason that the above quoted statements, borne on the labels of the respective products, regarding their curative and therapeutic effects, were false and fraudulent, since they contained no ingredients or combination of ingredients capable of producing the effects claimed. Misbranding of the skullcap herb was alleged for the further reason that the label "Skullcap Herb" was false and misleading, in that said drug was not true skullcap herb.

On August 26 and December 18, 1925, respectively, no claimant having appeared for the property, decrees were entered, adjudging the products misbranded and ordering their condemnation and forfeiture, and it was further ordered by the court that they be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

14511. Adulteration and alleged misbranding of canned tomatoes. U. S. v. **25 Cases of Tomatoes.** **Default decree of condemnation, forfeiture and destruction.** (F. & D. No. 19413. I. S. No. 13211-v. S. No. E-5068.)

On December 26, 1924, the United States attorney for the Northern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 25 cases of tomatoes, at Syracuse, N. Y., alleging that the

article had been shipped by W. E. Robinson, Laurel, Del., on or about September 22, 1924, and transported from the State of Delaware into the State of New York, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Dee Bee Brand Tomatoes * * * Packed By Davis Canning Co. Laurel, Del. U. S. A."

Adulteration of the article was alleged in the libel for the reason that water had been mixed and packed therewith so as to reduce, lower, or injuriously affect its quality and strength and had been substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the statement "Tomatoes" borne on the label, was false and misleading, and deceived and misled the purchaser, and for the further reason that it was sold under the distinctive name of another article.

On August 21, 1925, no claimant having appeared for the property, a decree was entered, adjudging the product to be adulterated and ordering its condemnation and forfeiture, and it was further ordered by the court that the said product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

14512. Adulteration of chestnuts. U. S. v. 23 Cases of Chestnuts. Default decree of condemnation, forfeiture and destruction. (F. & D. No. 20886. I. S. No. 8021-x. S. No. E-5642.)

On February 22, 1926, the United States attorney for the Northern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 23 cases of chestnuts, at Syracuse, N. Y., alleging that the article had been shipped by the Oriental Coffee Co., Boston, Mass., on or about December 17, 1925, and transported from the State of Massachusetts into the State of New York, and charging adulteration in violation of the food and drugs act.

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed or putrid vegetable substance.

On April 13, 1926, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

14513. Misbranding of cottonseed meal. U. S. v. 50 Sacks of Cottonseed Meal. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 20747. I. S. No. 5609-x. S. No. E-5573.)

On January 5, 1926, the United States attorney for the Northern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States a libel praying seizure and condemnation of 50 sacks of cottonseed meal, at Oswego, N. Y., alleging that the article had been shipped by the Marianna Sales Co., Memphis, Tenn., on or about November 20, 1925, and transported from the State of Tennessee into the State of New York, and charging misbranding in violation of the food and drugs act. The article was labeled in part: "Triangle Brand Cotton Seed Meal * * * 43%. Guaranteed Analysis Ammonia 8.37% Protein 43% Nitrogen 6.88% Fibre 10.00%."

It was alleged in substance in the libel that the article was deficient in protein and contained excessive fiber, and was misbranded in that the statements, "43% Guaranteed Analysis Ammonia 8.37% Protein 43.00% Nitrogen 6.88% Fibre 10.00%," were false and misleading and deceived and misled the purchaser.

On March 17, 1926, the Marianna Sales Co., Memphis, Tenn., having appeared as claimant for the property and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$500, conditioned in part that it not be sold or shipped unless relabeled to show that the protein content was not over 41.1 per cent.

W. M. JARDINE, *Secretary of Agriculture.*

14514. Misbranding of cottonseed feed. U. S. v. 120 Sacks and 140 Sacks of Cottonseed Feed. Decrees of condemnation entered. Product released under bond. (F. & D. Nos. 20726, 20727. I. S. Nos. 7217-x, 8671-x. S. No. E-5556.)

On December 19, 1925, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 260 sacks of cottonseed feed, remaining in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped by the Humphreys-Godwin Co., from Memphis, Tenn., on or about October 22, 1925, and transported from the State of Tennessee into the State of Maryland, and charging misbranding in violation of the food and drugs act. The article was labeled in part: "Danish Brand Cotton Seed Feed Guaranteed Analysis Protein 36.00% Equivalent Nitrogen 5.75% Crude Fibre (Max.) 15.00%. Manufactured For Humphreys-Godwin Company Memphis, Tenn."

Misbranding of the article was alleged in the libel for the reason that the statement, "Guaranteed Analysis Protein 36.00% Equivalent Nitrogen 5.75% Crude Fibre (Max.) 15.00%" was false and misleading and deceived and misled the purchaser.

On March 5, 1926, the Humphreys-Godwin Co., Memphis, Tenn., having appeared as claimant for the property, judgments of condemnation were entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of bonds in the aggregate sum of \$1,040, conditioned in part that it be not sold or disposed of until properly labeled, and approved by this department.

W. M. JARDINE, *Secretary of Agriculture.*

14515. Misbranding and alleged adulteration of canned clams. U. S. v. 24 Cases of Canned Clams. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 20372. I. S. No. 6925-x. S. No. E-5473.)

On August 27, 1925, the United States attorney for the District of Connecticut, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 24 cases of canned clams, remaining in the original unbroken packages at Hartford, Conn., alleging that the article had been shipped from Boston, Mass., on or about August 7, 1925, and transported from the State of Massachusetts into the State of Connecticut, and charging adulteration and misbranding in violation of the food and drugs act as amended. The article was labeled in part: "White Star Brand Maine Clams Packed By A. J. Lawler So. West Harbor, Maine Net Weight 5 Ounces."

Adulteration of the article was alleged in the libel for the reason that a substance, excessive brine, had been mixed and packed therewith so as to reduce, lower and injuriously affect its quality and strength and had been substituted in part for the said article.

Misbranding was alleged for the reason that the statements, "Clams Net Weight 5 Ounces," borne on the labels, were false and misleading and deceived and misled the purchaser; for the further reason that the article was offered for sale under the distinctive name of another article, and for the further reason that it was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On or about April 1, 1926, A. J. Lawler, South West Harbor, Me., having appeared as claimant for the property, a decree was entered, adjudging the product misbranded and ordering its condemnation and forfeiture, and it was further ordered by the court that the said product be released to the claimant upon payment of the costs of the proceedings and the costs of supervision by this department of the relabeling of the product, and the execution of a bond in the sum of \$300, conditioned upon compliance with the terms of the decree.

W. M. JARDINE, *Secretary of Agriculture.*

14516. Adulteration of butter. U. S. v. 10 Cubes of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 20239. I. S. No. 20136-v. S. No. W-1739.)

On June 26, 1925, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure

and condemnation of 10 cubes of butter, remaining in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped by the Mutual Creamery Co., from Butte, Mont., June 15, 1925, and transported from the State of Montana into the State of California, and charging adulteration in violation of the food and drugs act.

Adulteration of the article was alleged in the libel for the reason that a substance deficient in milk fat had been substituted in part for the said article, and for the further reason that a valuable constituent, namely, milk fat, had been in part abstracted therefrom.

On July 7, 1925, the Mutual Creamery Co., San Francisco, Calif., having appeared as claimant for the property and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$285, conditioned in part that it be made to conform with the law under the direction of and to the satisfaction of this department.

W. M. JARDINE, *Secretary of Agriculture.*

14517. Misbranding of butter. U. S. v. 6 Cases of Butter. Consent decree of condemnation and forfeiture. Product released under bond.
(F. & D. No. 20119. I. S. No. 20473-v. S. No. W-1720.)

On June 1, 1925, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 6 cases of butter, remaining in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped by the Wildflower Creamery, from Carson City, Nev., May 25, 1925, and transported from the State of Nevada into the State of California, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: (Wrapper) "Wildflower Creamery Butter Carson City, Nevada Net Weight 2 Pounds."

It was alleged in substance in the libel that the article was misbranded under section 8 of said act, general paragraph and paragraphs 2 and 3 under food, in that it was labeled "Net Weight 2 Pounds," whereas the prints contained a smaller quantity.

On June 9, 1925, R. Langner, trading as the Wildflower Creamery, Carson City, Nev., having appeared as claimant for the property and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$300, conditioned in part that it not be sold or otherwise disposed of contrary to law.

W. M. JARDINE, *Secretary of Agriculture.*

14518. Misbranding of butter. U. S. v. 12 Cases of Butter. Consent decree of condemnation and forfeiture. Product released under bond.
(F. & D. No. 20090. I. S. No. 20471-v. S. No. W-1713.)

On May 13, 1925, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 12 cases of butter, remaining in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped by the Mason Products Co., from Elko, Nev., May 6, 1925, and transported from the State of Nevada into the State of California, and charging misbranding in violation of the food and drugs act as amended. The said butter consisted of prints enclosed in wrappers labeled in part: "Pasteurized Elvada Butter Manufactured by Mason Products Company Elko, Nevada Net Weight Two Pounds."

It was alleged in substance in the libel that the article was misbranded under section 8 of said act, general paragraph and paragraphs 2 and 3 under food, in that it was labeled "Net Weight Two Pounds," whereas the prints contained a smaller quantity.

On May 23, 1925, W. D. Mason, trading as the Mason Products Co., Sausalito, Calif., having appeared as claimant for the property and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a

bond in the sum of \$500, conditioned in part that it not be sold or otherwise disposed of contrary to law.

W. M. JARDINE, *Secretary of Agriculture.*

14519. Adulteration of tomato catsup and tomato puree. U. S. v. 14 Cases of Tomato Catsup, et al. Default decrees of condemnation and destruction entered. (F. & D. Nos. 20779, 20780, 20781, 20807. I. S. Nos. 6660-x, 6661-x, 6662-x, 6674-x. S. Nos. E-5613, E-5614, E-5624.)

On January 25 and February 4, 1926, respectively, the United States attorney for the Southern District of Georgia, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 82 cases of tomato catsup and 14 cases of tomato puree, remaining in the original unbroken packages at Savannah, Ga., alleging that the articles had been shipped by W. E. Robinson & Co., from Laurel, Del., in part on or about November 5, 1925, and in part on or about December 11, 1925, and transported from the State of Delaware into the State of Georgia, and charging adulteration in violation of the food and drugs act. The articles were labeled in part: "Tomato Catsup" (or "Tomato Puree") "Packed by the Davis Canning Company Laurel, Delaware."

Adulteration of the articles was alleged in the libels for the reason that they consisted in whole or in part of filthy, decomposed or putrid vegetable substances.

On March 31 and July 21, 1926, respectively, no claimant having appeared for the property, judgments of condemnation were entered, and it was ordered by the court that the products be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

14520. Adulteration of tomato catsup. U. S. v. 226 Cases of Tomato Catsup. Default decree of condemnation, forfeiture and destruction. (F. & D. No. 20985. I. S. No. 6679-x. S. No. E-5663.)

On March 30, 1926, the United States attorney for the Southern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 226 cases of tomato catsup, remaining in the original unbroken packages at Savannah, Ga., alleging that the article had been shipped by Libby, McNeill & Libby, from Wyoming, Del., on or about October 27, 1925, and transported from the State of Delaware into the State of Georgia, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Maple Brand Tomato Ketchup Packed For Emery Food Co. Chicago, U. S. A."

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a filthy, decomposed and putrid vegetable substance.

On July 21, 1926, no claimant having appeared for the property, judgment of condemnation was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

14521. Misbranding of butter. U. S. v. 5 Boxes of Butter. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21178. I. S. No. 5069-x. S. No. E-5796.)

On July 6, 1926, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 5 boxes of butter, remaining in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped by the H. C. Christians Co., from Chicago, Ill., and transported from the State of Illinois into the State of Maryland, and charging misbranding in violation of the food and drugs act. The article was labeled in part: "1 Lb. Net Weight."

Misbranding of the article was alleged in the libel for the reason that the statement "1 Lb. Net Weight," borne on the wrappers containing the article, was false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On July 14, 1926, Arthur Medwedeff, Baltimore, Md., having appeared as claimant for the property, judgment of condemnation was entered, and it was ordered by the court that the product be released to the said claimant upon

payment of the costs of the proceedings and the execution of a bond in the sum of \$250, conditioned in part that it not be sold or otherwise disposed of until relabeled to show its true contents, and inspected and approved by this department.

W. M. JARDINE, *Secretary of Agriculture.*

14522. Adulteration and misbranding of butter. U. S. v. Central Produce Co. Plea of guilty. Fine, \$100. (F. & D. No. 19652. I. S. No. 7484-v.)

On August 11, 1925, the United States attorney for the Western District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Central Produce Co., a corporation, Temple, Tex., alleging shipment by said company, in violation of the food and drugs act as amended, on or about February 3, 1924, from the State of Texas into the State of Louisiana, of a quantity of butter which was adulterated and misbranded. The article was invoiced as creamery butter.

Adulteration of the article was alleged in the information for the reason that a product deficient in milk fat, in that it contained less than 80 per cent by weight of milk fat, had been substituted for butter, a product which must contain not less than 80 per cent by weight of milk fat as prescribed by the act of March 4, 1923.

Misbranding was alleged for the reason that the article was an imitation of and was offered for sale under the distinctive name of another article, to wit, creamery butter, in that it contained less than 80 per cent by weight of milk fat, the minimum milk fat required by law. Misbranding was alleged for the further reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On June 22, 1926, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$100.

W. M. JARDINE, *Secretary of Agriculture.*

14523. Adulteration of canned salmon. U. S. v. Sanitary Fish Co. Plea of guilty. Fine, \$50 and costs. (F. & D. No. 18755. I. S. Nos. 4630-v, 4631-v.)

On September 27, 1924, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Sanitary Fish Co., a corporation, Anacortes, Wash., alleging shipment by said company, in violation of the food and drugs act, on or about August 28, 1923, from the State of Washington into the State of Tennessee, of quantities of canned salmon which was adulterated.

Adulteration of the article was alleged in the information for the reason that it consisted in part of a filthy and decomposed and putrid animal substance.

On June 18, 1926, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$50 and costs.

W. M. JARDINE, *Secretary of Agriculture.*

14524. Adulteration and alleged misbranding of prepared mustard. U. S. v. 25 Cases of Prepared Mustard. Default decree of condemnation, forfeiture and destruction. (F. & D. No. 20056. I. S. No. 14137-v. S. No. W-1654.)

On May 1, 1925, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 25 cases of prepared mustard, at Seattle, Wash., alleging that the article had been shipped by A. Luedemann, Inc., from New York, N. Y., October 21, 1924, and transported from the State of New York into the State of Washington, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Dusseldorf Brand Prepared Mustard * * * A. Luedemann, Inc. New York."

Adulteration of the article was alleged in the libel for the reason that a substance, an imitation mustard, had been mixed and packed therewith so as to reduce, lower or injuriously affect its quality and strength and had been substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the designation "Prepared Mustard" was false and misleading and deceived and misled the purchaser,

and for the further reason that it was an imitation of and offered for sale under the distinctive name of another article.

On July 3, 1925, no claimant having appeared for the property, a decree was entered, adjudging the product adulterated and ordering that it be condemned, forfeited and destroyed.

W. M. JARDINE, *Secretary of Agriculture.*

14525. Adulteration of canned salmon. U. S. v. 3,942 Cases of Salmon. Consent decree of condemnation and forfeiture. Product released, the good portion for human food and the adulterated portion for chicken feed. (F. & D. No. 19042. I. S. Nos. 20249-v, 20250-v. S. No. W-1594.)

On October 3, 1924, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 3,942 cases of salmon, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped by Libby, McNeill and Libby, from Egegik, Alaska, August 11, 1924, and transported from the Territory of Alaska into the State of Washington, and charging adulteration in violation of the food and drugs act.

Adulteration of the article was alleged in the libel for the reason that it consisted wholly or in part of a filthy, decomposed and putrid animal substance.

On October 13, 1925, Libby, McNeill and Libby, claimant, having admitted the allegations of the libel and having consented to the condemnation of the product, judgment was entered, finding the article adulterated. The product having theretofore been sorted and the good portion released for human consumption and the adulterated portion released under bond in the sum of \$1,250, conditioned in part that it be used as chicken feed, it was ordered by the court that the adulterated portion not be sold or disposed of contrary to law, and upon the submission of evidence that it had been used for chicken feed that the bond be discharged.

W. M. JARDINE, *Secretary of Agriculture.*

14526. Misbranding of butter. U. S. v. 8 Cases of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 20403. I. S. No. 121-x. S. No. W-1769.)

On August 19, 1925, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 8 cases of butter, remaining in the original unbroken packages at Seattle, Wash., alleging that on August 17, 1925, the article had been prepared for shipment and was to have been shipped from the State of Washington into the Territory of Alaska, by the Mutual Creamery Co., Seattle, Wash., and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: (Carton) "Maid O'Clover Butter One Pound Net When Packed * * * Guaranteed by Mutual Creamery Co., Manufacturers and Distributors."

It was alleged in substance in the libel that the article was misbranded under section 8, paragraphs 2 and 3 under food, in that it was short weight.

On August 25, 1925, the Mutual Creamery Co., claimant, having admitted the allegations of the libel and having paid the costs of the proceedings, judgment of condemnation was entered, and it was ordered by the court that the product be released to the claimant for reconditioning and relabeling under the supervision of this department, upon the execution of a good and sufficient bond, conditioned in part that it be disposed of in accordance with law.

W. M. JARDINE, *Secretary of Agriculture.*

14527. Misbranding of butter. U. S. v. 13 Boxes of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 20110. I. S. No. 23410-v. S. No. W-1709.)

On May 5, 1925, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 13 boxes of butter, remaining in the original unbroken packages in possession of a common carrier, Seattle, Wash., alleging that the article had been prepared for shipment and was to have been shipped in interstate commerce from the State of Washington into the Territory of Alaska, by the Henningsen Creamery Co., Seattle, Wash., May 6, 1925, and charging misbranding in violation of the food and drugs act as amended. The

article was labeled in part: "One Pound Lake Park Butter Distributed by Henningsen Creamery Co. Seattle, Washington."

It was alleged in substance in the libel that the article was misbranded under section 8 of the act, paragraphs 2 and 3 under food, in that it was short weight, and in that it was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On May 13, 1925, the Henningsen Creamery Co., Seattle, Wash., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$175, conditioned in part that it be relabeled under the supervision of this department.

W. M. JARDINE, *Secretary of Agriculture.*

14528. Misbranding of butter. U. S. v. 8 Cases of Butter. Default decree of condemnation and forfeiture. Product delivered to public institutions. (F. & D. No. 20244. I. S. No. 23451-v. S. No. W-1741.)

On June 25, 1925, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 8 cases of butter, remaining in the original unbroken packages in possession of a common carrier, at Seattle, Wash., alleging that the article had been prepared for shipment and was to have been shipped in interstate commerce from the State of Washington into the Territory of Alaska, on June 24, 1925, by the Carstens Packing Co., Seattle, Wash., and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: (Carton) "Jersey Lily Brand Fancy Creamery One Pound Net Weight * * * Manufactured Exclusively by Turner & Pease Co. Seattle, Washington.

It was alleged in substance in the libel that the article was misbranded under section 8 of the act, paragraphs 2 and 3 under food, in that it was short weight, and in that it was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On July 29, 1925, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be delivered to public institutions.

W. M. JARDINE, *Secretary of Agriculture.*

14529. Adulteration and misbranding of butter. U. S. v. 78 Tubs of Butter. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21200. I. S. No. 6355-x. S. No. E-5808.)

On July 10, 1926, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 78 tubs of butter, remaining in the original unbroken packages at Philadelphia, Pa., consigned by the H. C. Christians Co., Chicago, Ill., alleging that the article had been shipped from Chicago, Ill., on or about July 1, 1926, and transported from the State of Illinois into the State of Pennsylvania, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "H. C. Christians Co. 1721 Chicago, Ill."

Adulteration of the article was alleged in the libel for the reason that a substance containing less than 80 per cent of butterfat had been mixed and packed therewith so as to reduce, lower and injuriously affect its quality and strength and had been substituted wholly or in part for the said article. Adulteration was alleged for the further reason that a valuable constituent of the article, butterfat, had been wholly or in part abstracted.

Misbranding was alleged for the reason that the article was an imitation of and offered for sale under the distinctive name of another article.

On July 13, 1926, the H. C. Christians Co., Chicago, Ill., having appeared as claimant for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings, said costs to include the cost of supervision by this department of the reconditioning of the product; and the execution of a bond in the sum of \$1,600, conditioned in part that it not be sold or otherwise disposed of contrary to law.

W. M. JARDINE, *Secretary of Agriculture.*

14530. Adulteration of pineapples. U. S. v. 300 Crates of Pineapples. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21170. I. S. No. 2471-x. S. No. C-5156.)

On or about May 18, 1926, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel and subsequently an amended libel praying seizure and condemnation of 300 crates of pineapples, remaining in the original unbroken packages at Kansas City, Mo., alleging that the article had been shipped by the Havana Fruit Co., Artemisia, Cuba, by way of Key West, Fla., on or about May 9, 1926, and that it had been transported in interstate commerce, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (Box) "Cuban Red Spanish Pineapples Imported By Havana Fruit Company Chicago-New York 36."

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a decomposed vegetable substance.

On May 19, 1926, the Cadle Brokerage Co., Kansas City, Mo., claimant, having admitted the allegations of the libel and having consented that judgment of condemnation and forfeiture be entered, a decree was entered, finding the product adulterated, and it was ordered by the court that the said product be released to the claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$2,000, conditioned in part that it be salvaged under the supervision of this department, and the decomposed portion destroyed.

W. M. JARDINE, *Secretary of Agriculture.*

14531. Adulteration of pineapples. U. S. v. 299 Crates of Pineapples. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21169. I. S. No. 2470-x. S. No. C-5155.)

On or about May 18, 1926, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel and subsequently an amended libel praying seizure and condemnation of 299 crates of pineapples, remaining in the original unbroken packages at Kansas City, Mo., alleging that the article had been shipped in interstate commerce by the West Indies Fruit Importing Co., Alquizar, Cuba, on or about May 9, 1926, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (Box) "Red Spanish Y. P. C. Cuba Pineapples Cuban Products Imported By West Indies Fruit Importing Co. Chicago, U. S. A. 30."

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a decomposed vegetable substance.

On May 20, 1926, the Defeo Fruit Co., Kansas City, Mo., claimant, having admitted the allegations of the libel and having consented that a judgment of condemnation and forfeiture be entered, a decree was entered, finding the product adulterated, and it was ordered by the court that the said product be released to the claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$2,000, conditioned in part that it be salvaged under the supervision of this department and the decomposed portion destroyed.

W. M. JARDINE, *Secretary of Agriculture.*

14532. Adulteration of pineapples. U. S. v. 275 Crates of Pineapples. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21168. I. S. No. 2469-x. S. No. C-5154.)

On or about May 18, 1926, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel and subsequently an amended libel praying seizure and condemnation of 275 crates of pineapples, remaining in the original unbroken packages at Kansas City, Mo., alleging that the article had been shipped by the West Indies Fruit [Importing] Co., Key West, Fla., on or about May 5, 1926, and transported from the State of Florida into the State of Missouri, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Star of Cuba Brand Pineapples West Indies Fruit Importing Company Chicago New York, Wifie Pines."

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a decomposed vegetable substance.

On May 20, 1926, the Defeo Fruit Co., Kansas City, Mo., claimant, having admitted the allegations of the libel and having consented that judgment of condemnation and forfeiture be entered, a decree was entered, finding the product adulterated, and it was ordered by the court that the said product be released to the claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$2,000, conditioned in part that it be salvaged under the supervision of this department, and the decomposed portion destroyed.

W. M. JARDINE, *Secretary of Agriculture.*

14533. Misbranding of Arium tablets. U. S. v. 56 Packages, et al., of Arium Tablets. Default decrees of condemnation, forfeiture and destruction. (F. & D. Nos. 21116, 21117, 21118, 21119. S. Nos. E-5729, E-5730, E-5731, E-5732.)

On June 11, 1926, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 56 packages and 135 boxes of Arium tablets, remaining in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped by the Associated Radium Chemists, Inc., from New York, N. Y., in various consignments, August 12 and October 24, 1925, and January 9 and May 5, 1926, respectively, and transported from the State of New York into the State of Maryland, and charging misbranding in violation of the food and drugs act as amended.

Analysis by the Bureau of Chemistry of this department of a sample of the article showed that it was composed mainly of lithium carbonate, starch and tale, with 8.58 millimicrograms of radium to each tablet.

Misbranding of the article was alleged in the libels for the reason that the following statements appearing in the labeling, regarding the curative and therapeutic effects of the said article, were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the results claimed: (Box label) "the most beneficial effects." (booklet in box) "A New Scientific Principle for Supplying to the Human Body the Remarkable Energy and Power of Genuine Radium in a Pure, Harmless and Wholesome Form. * * * Arium * * * has a stimulating and tonic effect that is entirely different from that of any drug or medicine known. It gives just the added force and power needed by the human body and is accepted by the blood, tissues and entire system just as withering plants accept sunshine and rain and are revived by them. The uses of Radium as supplied in Arium are many and varied * * * It should be especially valuable among all classes of people for use in cases of general debility, simple anaemia, signs of old age, weakened nerve force, poor circulation, digestive disturbances, hardening of the arteries, sleeplessness, rheumatism, and inflammation of the joints, etc. Arium For Everyone Arium is not designed for sick people alone. In fact it is equally recommended for those who have no ailments, but who desire that super-vigor which means so much in the fullest enjoyment of life. * * * For chronic cases * * * While surprising results are often obtained from a short course of Arium, its action is not that of a temporary stimulant, but of a nutritive, health-building, energy-giving agent of unusual value. To derive the most beneficial results and get the full accumulative value of the radium, Arium should be taken regularly and systematically. * * * When your nerves are soothed, your muscles and organs function normally, pains are gone and your whole organism seems to be operating smoothly, you will know that Arium has done its work. So pleasant will be the feeling of stimulation from radium that you will never want to let the beneficial effects of radioactivity get out of your body. * * * marvelous form of natural energy. * * * What It May Do for You * * * Arium feeds the body with energy like giving a fresh charge of current to a run-down storage battery. Arium revitalizes organic matter as nothing else can. Arium stimulates the circulation of the blood, as well as the tissues, mental faculties, etc. Arium makes the entire system feel the influence of the greatest force known to mankind in the most pleasing manner. Arium gives a direct positive action almost immediately to every part of the body. Arium gives new strength, fresh ambition, sparkling vitality, invigorates the constitution and instills a feeling of renewed youth. Arium Improves Blood and Glands. Arium will increase the red blood cells enormously in many cases, thus enriching the blood and correcting the circulation. Arium helps to bring down blood pressure and adds vigor and force to the entire blood system, making it more potent to fight off disease, anemia, etc.

Arium helps restore arteries to a pliable condition. Arium helps invigorate the ductless glands and regulate their secretions, thereby setting up healthy glandular functioning which is the real answer to the perfect charm of womanhood and the virile strength of manhood. For General Debility Arium will impart the right kind of energy to the organs and make you feel energetic, virile and vigorous. In this way it will help overcome general debility and enable you to live a normal healthy life. Even elderly people will feel the thrilling vibrations of positive youthful virility. Arium will help overcome sluggishness by carrying off waste and poisonous matter and in this way will purify, invigorate and tone up the system. Arium For Rheumatic Troubles, Poor Appetite, Nervousness. Arium helps scatter inflammation and eliminate uric acid and poisonous carbon dioxide from our bodies thus relieving us of the different ailments most of us have, neuralgia, neuritis, etc. Arium stimulates the glands in the digestive tract and sharpens our appetites as well as helping our digestive organs to do their work. Arium acts on the tissues of our nerves to strengthen and soothe them, thus bringing peace and restfulness to those who are nervous. Arium does what drugs cannot do because it acts in a natural physical manner entirely. Arium, by keeping the body radio-active, helps keep us immune from a great many of the diseases and epidemics that are constantly occurring. * * * How Radium Was Discovered To Be Good for Us. * * * tremendously vital force of the Ages. At first it was not known that Radium could be used for curative purposes. For years, however, physicians were unable to account for the marvelous results obtained from certain spring waters, while others of exactly the same chemical analysis gave very little beneficial results. The mystery was not solved until it was found that the health-giving springs contained radium in very small amounts. The medical world then knew that radium had tremendous influence on the human body, that by drinking radio-active spring waters one could take into his body a definite amount of radium energy which permeated the whole system and accomplished wondrous results. Yet each Arium tablet contains from 100 to 1,000 times as much radium as a quart of many radioactive spring waters. It was noticed too that people who worked in radium mines enjoyed remarkable health and robust strength. Apparently, simply breathing the emanations from radium kept them free from neuritis, rheumatism, neuralgia, hardening of the arteries, headaches, digestive disorders and a hundred other maladies. It kept them filled with the feeling of youth. * * * Discovery of Arium Perhaps not since the discovery of the element of radium itself has Science achieved a greater triumph than in the discovery of a means for placing in the human body the greatest form of harmless, yet powerful energy ever known to the world. It seems that it was by the hand of Fate, working for the benefit of humanity, that Arium was discovered in Paris where Radium itself was discovered. * * * Under the trade-mark name of Arium the marvelous, health-giving energy of radium is prepared in tablet form. * * * Arium may be used with beneficial results by men, women and children. Just Why The Body Needs Radium Physicians know that many of the foods we eat tax our digestive organs to such an extent that little energy remains in our bodies for any other work. In other words, the power or energy—the force that moves us—that is supplied by our morning meal is largely used up to digest and assimilate the noon meal and there is little reserve force for the many needs of the body. We must have surplus energy—extra power—and that is exactly what radium feeds to the system—that surplus power or energy which governs our intelligence, our dispositions, and in fact, determines whether we are to be winners in the game of life or losers. Supplies Energy Lacking In Foods. Science has shown that many human ills may be directly traced to the fact that most people fail to eat the proper kind of food. Yet every act that we do during our lifetime—even the winking of an eyelash—saps some portion of our energy, tears down tissues and lessens our resistance to disease. Thus, because our food is robbed of its up-building, vital forces, there is nothing to replace old worn-out tissues and keep the body filled with the abundance of strength and energy Nature intended. As a result there is a noticeable loss of vitality of one kind or another and that is why so many people you meet always have something the matter with them. It is to prevent this very thing that radium is recognized as the most potent force ever known. Radium is a natural stimulator and upbuilding agent for all the tissues and organs of the body. How Arium Gives You The Life Building Energy Of Radium. When you take Arium tablets they liberate millions of rays of energy while in the body and these rays give the tissues an agreeable stimulus tending to produce a harmless,

gentle, internal massage that induces normal functioning of the organs, muscles, etc. Arium acts as the carrier of enormous energy in the body as nothing else possibly can. Radium, which is in each Arium tablet, has been called the very essence of life. Some physicians have described it as life itself, and one distinguished physician speaks of it as the greatest benefit to mankind that has ever emanated from the laboratory of the Almighty. Many physicians believe radium to be a tremendous factor in materially lengthening life. When you take Arium you should become conscious of a feeling of extreme well-being with a sense of healthful exhilaration and buoyancy. You will become aware of some strange mystic form of energy that opens up for you a new world of health, pleasure and happiness. Marvelous Action Of Arium. The action of Arium is direct—not indirect. It produces a kind of energy within the body that is absolutely necessary to the human system for the building of that surplus strength and endurance which is so necessary to ward off sickness and prolong life and youth. Tonics for the blood alone may give benefit for a time—so may a drug or quieting potion for the nerves or the proper treatment for the liver or kidneys, but the force of radium as supplied in Arium reaches the nerves, tissues, blood, muscles, bone, sinew, skin, stomach, liver, kidneys and every vital organ of the entire body all at the same time. Not only this, but added power is given to each separate tiny cell and bodily force that binds the organs together to help make them function properly. From time immemorial physicians have administered drugs and medicines for all illness but we are now approaching what might be termed a "Drugless Age," for radium has opened up to the world an opportunity to obtain a direct application of energy to the body to perform its mysterious wonders in a way that is not possible with ordinary stimulants of drugs," (circular in box containing portion of product) "How Arium Works and What It Does Fully Explained Healing, Invigorating, Youth-Giving "Substance of the Sun" Brings New Force to Sick and Ailing Amazing New Free Book (Fully Illustrated) Explains How All Weak, Afflicted and Worn-out Folks May Quickly Produce Vitalizing Internal Exercise of Every Gland and Organ—Banishing Aches, Pains and Distress—Restoring Strength, Energy and Power to Body and Brain. New data on stomach, kidney, liver, bladder, prostate, blood and nervous disorders as well as rheumatic ailments, all of which are now prevalent to a serious extent has been brought to light by scientists. This is fully explained in the amazing new book "The Substance Of The Sun—Giver Of Supreme Vitality." It means increased strength, power and endurance for men, renewed health, energy, and beauty for women. Thousands are already obtaining most marvelous benefits. The Free Book gives special information to sufferers from Nervous Debility Neurasthenia, Premature Old Age, Infirmities, Headaches, Pressure in Back of Head and Neck, Irritability, Mental Depression, Prickly Sensations, Melancholy, Poor Memory, Rundown Condition, Lowered Vitality, Glandular Weakness, Prostate Trouble, Absence of Full Vigor, Depleted "Sex Force," Lack of Control, Tired Feeling, Dull Ache at Base of the Spine and in Small of the Back, Pains in the Groins and Legs, Shaky Hands and Limbs, Weakened Will Power, etc. Blood Disorders Thin, Pale, Watery Blood, Anaemia, Poor Circulation, Congestion, High Blood Pressure, Hardening of the Arteries, Arterio-Sclerosis, Skin Eruptions, Loss of Weight, Excessive Flesh, Nervousness, Poor Appetite, etc. Rheumatic Ailments, Neuritis, Neuralgia, Gout, Lumbago, Arthritis, Soreness in the Joints and Muscles, Aches, Pains, Etc. A Cause of Heart Disease Stomach And Intestinal Troubles. Indigestion, Gas, Flatulence, Bloating, Dyspepsia, Acidosis, Coated Tongue, Offensive Breath, Colic, Distress After Eating, Catarrh of the Stomach, Poor Appetite, Constipation, Irregular Bowel Movement and Chronic Diarrhoea or Dysentery Kidney Complaints Torpid Liver, Bladder Irritation and Weakness, Backache, Headache, Twinges of Pain, Frequent Desire to Urinate, Getting up Nights, Sleeplessness, Dizziness, Billiousness, Chilly Sensation, Spots Before the Eyes, etc. Therefore, if you are a sufferer from any of these ailments and want to quickly and most astonishingly improve your condition, you owe it to yourself to send at once for this marvelous new illustrated Free Book. "The Substance Of The Sun—Giver Of Supreme Vitality!" Delays Are Dangerous! Act Now! * * * Here Is A Valuable And Tested Method For Your Guidance In Checking Up On Your Condition. You may not realize just how much below normal you are. In order to give you an easy, satisfactory manner in which to decide, the list below is given here so that you may easily check up on your own condition. The conditions in the list marked with an asterisk (*) show of them-

selves that you should most certainly use Arium regularly and persistently, even if you have none of the other complaints. Do you tire easily?—5% Are you nervous?—5% Are you irritable?—10% Do you feel tired in the morning when you first get up?—3% Are your hands and feet cold frequently?—3% Do you take cold easily?—2% Do the bones ache?—2% Do you ever have chills?—3% *Do you suffer from rheumatism, neuralgia, neuritis or gout? Do your joints swell?—4% Are you drowsy?—5% Are the face, hands and tongue pale?—3% Is your circulation poor?—5% *Is your blood pressure too high or low? *Are there any eruptions on the body? Do you have frequent headaches?—5% Do you have dizziness at times?—3% Do you ever have sharp or dull pains around the heart?—2% Does your face flush easily? 5% Is your appetite poor?—4% Do you have any distress after meals?—3% Any bloating? 4% Is your breath offensive?—5% Tongue coated?—3% Do you have bad taste in the mouth?—5% Do you have pains or soreness of the chest?—2% Are the bowels irregular?—8% Are you ever troubled with constipation?—6% Is your back weak?—4% *Do you have backache? Do you have a desire to urinate frequently?—3% Do your hands and feet swell?—5% Is there any fullness under the eyelids?—3% *Is your neck swollen or enlarged (Goitre)? *Are your vital powers weakened? *Do you suspect trouble with the prostate gland? *Do you feel the infirmities of age? Do you have trouble with the bladder?—5% Are you troubled with sleeplessness?—10% Do you have sour, watery or windy risings from the stomach?—3% *Are you low spirited and subject to the blues? *Does your brain lack alertness at times? *Does your memory fail? *Are you too thin or under weight? *Have you excessive flesh? Keep the foregoing list and refer to it from time to time as you continue the use of Arium and such other radium preparations as you require. * * * Watch from day to day how the alarming symptoms disappear and your rapid approach toward a normal state of efficiency, vigorous health, strength, activity."

On August 3, 1926, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

14534. Misbranding of Arium tablets. U. S. v. 69 Dozen Boxes of Arium Tablets. Default decree of condemnation, forfeiture and destruction. (F. & D. No. 21121. I. S. No. 5875-x. S. No. E-5736.)

On June 12, 1926, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 69 boxes of Arium tablets, at Pittsburgh, Pa., alleging that the article had been shipped by the Associated Radium Chemists, Inc., from New York, N. Y., on or about March 31, 1926, and transported from the State of New York into the State of Pennsylvania, and charging misbranding in violation of the food and drugs act as amended. The article bore certain statements on the box label, and in the circular and booklet contained in the box, as set out in Notice of Judgment No. 14533, which statements on the said box, circular and booklet are incorporated herein. The circular accompanying the article in the instant case bore the further statements: "Important—Arium must not be regarded as a drug, stimulant or medicine for temporary relief, but as a Progressive Treatment of astonishing therapeutic value. Its action is that of a gentle internal health-building radium massage, which day by day strengthens every organ, gland, fiber and tissue of your body in a natural manner. A multitude of ailments, pains and disorders, signs of old age, Sexual Weakness and countless alarming symptoms which resisted all other forms of treatment have yielded to its almost unbelievable power. Each succeeding box of Arium should be of greater benefit than the previous one—for it serves to increase the radioactivity of your body that much more. Take it regularly without interruption until the completely satisfactory and successful results you desire, are obtained. Do not miss a single dose."

Analysis by the Bureau of Chemistry of this department of a sample of the article showed that it was composed mainly of lithium carbonate, starch and talc, with 8.58 millimicrograms of radium to each tablet.

Misbranding of the article was alleged in the libel for the reason that the statements regarding the curative and therapeutic effects of the said article

were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed.

On August 5, 1926, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

14535. Misbranding of Kopp's. U. S. v. 43½ Dozen Bottles, et al., of Kopp's. Default decrees of condemnation, forfeiture and destruction. (F. & D. Nos. 20475, 20478, 20479, 20480, 20481. S. Nos. E-5504, E-5505, E-5506, E-5508, E-5509.)

On October 16, 1925, the United States attorney for the Northern District of New York, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 68½ dozen ½ fluidounce bottles, 84¼ dozen 1½ fluidounce bottles, and 38½ dozen 4 fluidounce bottles, of Kopp's, in various lots at Albany, Syracuse, Binghamton, Utica and Troy, N. Y., respectively, alleging that the article had been shipped by the Kopp's Baby's Friend Co., from York, Pa., in various consignments between the approximate dates of July 7, 1923, and March 20, 1925, and transported from the State of Pennsylvania into the State of New York, and charging misbranding in violation of the food and drugs act as amended.

Analysis by the Bureau of Chemistry of this department of a sample of the article showed that it consisted essentially of morphine sulphate, alcohol, sugar, water, and flavoring and coloring materials.

It was alleged in substance in the libels filed with respect to a portion of the product that the article was labeled, "Kopp's Remedies for Babies and Children Kopp's Baby's Friend 20 c., 40 c., 75 c. Used by thousands of mothers in all parts of the world for Colic, Diarrhoea and Teething," and was misbranded in that the statements were false and fraudulent.

It was alleged in substance in the libel filed with respect to the remainder of the product that it was labeled: (Circular) "Teething. This is usually a trying and critical experience in baby's career. The swollen and congested gums are very painful, and if this pain continues it causes extreme nervousness, the child becomes restless and fretful, there is indigestion which causes either diarrhoea or constipation, vomiting, in many cases, high fever and sometimes convulsions. A Teething Baby is a Nervous Baby and is more likely to contract Colds, Diarrhoea, Cholera Infantum, Whooping Cough, and other baby ailments and is less able to withstand them. In fact, many a case of illness in an infant that in itself could be controlled, when complicated with Teething, becomes a very grave affair. It is therefore very important that teething be made as painless as possible * * *" (French) "During dentition use this remedy regularly morning and evening," (German) "In the coming of the teeth it should be taken regularly morning and evening," (Spanish) "During dentition it should be used regularly night and morning," (Italian) "During dentition it is to be given to the little ones morning and evening regularly," (bottle label) "for child 1 week old * * * Dose to be repeated in 2 or 3 hours if necessary to relieve pain," (circular) "Kopp's is manufactured by The Kopp's Baby's Friend Co. Successors to Mrs. J. A. Kopp," (bottle) "Kopp's Alcohol About 8½ Per Cent Sulphate of Morphine ¼ Grain Per Ounce, Besides Other Medicinal Ingredients Made By the Kopp's Baby's Friend Co. Successors to Mrs. J. A. Kopp," (carton, front panel) "Kopp's Alcohol About 8½ Per Cent. Sulphate Of Morphine ¼ Grain Per Ounce Besides Other Medicinal Ingredients The Kopp's Baby's Friend Co. Successors to Mrs. J. A. Kopp," (back panel) "Kopp's The Kopp's Baby's Friend Co. Successors to Mrs. J. A. Kopp," (side panel) "Kopp's Made by The Kopp's Baby's Friend Co. Successors to Mrs. J. A. Kopp," and the said article was misbranded in violation of section 8 of the act, paragraph 3 as amended under drugs, in that it contained no ingredient or combination of ingredients capable of producing the effects claimed.

On December 18 and 19, 1925, respectively, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

14536. Adulteration of shell eggs. U. S. v. 74 Cases of Eggs. Decree of condemnation, forfeiture and destruction. (F. & D. No. 18906. I. S. No. 19375-v. S. No. C-4450.)

On July 22, 1924, the United States attorney for the Western District of Kentucky, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 74 cases of eggs, remaining in the original unbroken packages at Louisville, Ky., consigned by J. I. Reed & Sons, Bolivar, Mo., July 16, 1924, alleging that the article had been shipped in interstate commerce from Bolivar, Mo., and charging adulteration in violation of the food and drugs act.

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a filthy, decomposed and putrid animal substance.

On April 12, 1925, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

14537. Adulteration of shell eggs. U. S. v. 250 Cases of Eggs. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 20367. I. S. No. 2002-x. S. No. C-4794.)

On July 29, 1925, the United States attorney for the Western District of Kentucky, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 250 cases of eggs, remaining in the original unbroken packages at Louisville, Ky., consigned by Schalla & O'Neill Co., Chicago, Ill., July 18, 1925, alleging that the article had been shipped in interstate commerce from Chicago, Ill., into the State of Kentucky, and charging adulteration in violation of the food and drugs act.

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a filthy, decomposed and putrid animal substance, to wit, decomposed eggs.

On July 29, 1925, Swift & Co., Inc., claimant, having admitted the allegations of the libel, judgment of condemnation was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$2,000, conditioned in part that the decomposed eggs be separated from the sound eggs and the former destroyed.

W. M. JARDINE, *Secretary of Agriculture.*

14538. Misbranding and alleged adulteration of sugar corn. U. S. v. 137 Cases of Sugar Corn. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 19891. I. S. No. 9000-v. S. No. C-4668.)

On March 16, 1925, the United States attorney for the Western District of Kentucky, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 137 cases of sugar corn, remaining in the original unbroken packages at Louisville, Ky., consigned by the New Vienna Canning Co., New Vienna, Ohio, alleging that the article had been shipped in interstate commerce on or about November 10, 1924, from New Vienna, Ohio, into the State of Kentucky, and charging adulteration and misbranding in violation of the food and drugs act as amended. The article was labeled in part: (Can) "Butternut Brand Evergreen Sugar Corn" (cut of ear of corn) "Contents 1 Lb. 4 Oz. This Can Contains Sweet Corn Sugar, Salt And Pure Water. Packed by New Vienna Canning Co. New Vienna, Ohio."

Adulteration was alleged for the reason that a substance, canned field corn, had been mixed and packed with and substituted wholly or in part for the said article.

Misbranding of the article was alleged in substance in the libel for the reason that the statements, "This Can Contains Sweet Corn," and "Sugar Corn," together with the cut of an ear of corn, labeled "Evergreen," borne on the label, were false and misleading and deceived and misled the purchaser, since the product was a mixture of sweet corn and field corn, and for the further reason that the article was offered for sale under the distinctive name of another article, namely, Evergreen sugar corn. Misbranding was alleged for the further reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the

outside of the package, since the statement made was not a correct statement of the quantity contained therein.

On August 7, 1925, the New Vienna Canning Co., New Vienna, Ohio, claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment was entered, finding the product misbranded and ordering its condemnation, and it was further ordered by the court that the said product be released to the claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$200, conditioned in part that it be relabeled in part: "Appeal Brand Contents 1 lb. 2 oz. This can contains only sweet corn and field corn, salt and water."

W. M. JARDINE, *Secretary of Agriculture.*

14539. Adulteration and misbranding of canned oysters. U. S. v. 16 Cases of Oysters. Default decree of condemnation, forfeiture and destruction. (F. & D. No. 16750. I. S. No. 4456-v. S. No. C-2925.)

On August 31, 1922, the United States attorney for the Western District of Kentucky, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 16 cases of oysters, remaining in the original packages at Paducah, Ky., consigned by the Hilton Head Packing Co., Savannah, Ga., about April 17, 1922, alleging that the article had been shipped in interstate commerce from Savannah, Ga., into the State of Kentucky, and charging adulteration and misbranding in violation of the food and drugs act as amended. The article was labeled in part: (Can) "Hilton Head Brand Contains 5 Oz. Oyster Meat Packed By Hilton Head Packing Co. Office: Savannah, Ga.," (crimped in head of can) "5 Oz. Oysters."

Adulteration of the article was alleged in the libel for the reason that a substance, excessive brine, had been mixed and packed therewith so as to reduce, lower and injuriously affect its quality and strength and had been substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the statements, to wit, "Contains 5 Oz. Oyster Meat" and "5 Oz. Oysters," borne on the labels, were false and misleading and deceived and misled the purchaser, and for the further reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package, since the statement made was not correct.

On July 15, 1926, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

14540. Adulteration and misbranding of ether. U. S. v. 194 Cans and 94 Cans of Ether. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21035. I. S. Nos. 5522-x, 5523-x. S. No. E-5752.)

On April 27, 1926, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 288 cans of ether, remaining in the original unbroken packages at Boston, Mass., alleging that the article had been shipped by E. R. Squibb & Sons, from New York, N. Y., and transported from the State of New York into the State of Massachusetts, and charging adulteration and misbranding in violation of the food and drugs act.

Analysis by the Bureau of Chemistry of this department of a sample of the article showed that it contained peroxide and aldehyde.

Adulteration of the article was alleged in the libel for the reason that it was sold under a name recognized in the United States Pharmacopoeia and differed from the standard prescribed by the said pharmacopoeia, and its own standard was not stated upon the label, and in that it fell below the professed standard under which it was sold.

Misbranding was alleged for the reason that the statements borne on the label, "Ether * * * For Anesthesia" and "It is superior in vital respects to the ether of the U. S. P.," were false and misleading.

On June 30, 1926, E. R. Squibb & Sons, New York, N. Y., having appeared as claimant for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of

a bond in the sum of \$100, in conformity with section 10 of the act, and it was further ordered by the court that the said product be relabeled under the supervision of this department.

W. M. JARDINE, *Secretary of Agriculture.*

14541. Adulteration and misbranding of butter. U. S. v. 129 Tubs of Butter. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 20306. I. S. No. 5307-x. S. No. E-5373.)

On July 15, 1925, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 129 tubs of butter, remaining in the original unbroken packages at Boston, Mass., consigned July 6, 1925, alleging that the article had been shipped by the Maple Hills Creamery Co., East Berkshire, Vt., and transported from the State of Vermont into the State of Massachusetts and charging adulteration and misbranding in violation of the food and drugs act.

Adulteration of the article was alleged in the libel for the reason that a substance deficient in butterfat had been mixed and packed with and substituted wholly or in part for the said article, and in that a valuable constituent of the said article, to wit, butterfat, had been wholly or in part abstracted.

Misbranding was alleged for the reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On July 21, 1925, the Maple Hills Creamery Co., Inc., East Berkshire, Vt., having entered an appearance as claimant for the property and having filed a satisfactory bond in conformity with section 10 of the act, judgment of condemnation was entered, and it was ordered by the court that the product might be released to the said claimant upon payment of the costs of the proceedings.

W. M. JARDINE, *Secretary of Agriculture.*

14542. Adulteration and misbranding of butter. U. S. v. 36 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21201. I. S. No. 8172-x. S. No. E-5811.)

On July 14, 1926, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 36 tubs of butter, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the Booth Cold Storage Co., St. Louis, Mo., on or about July 2, 1926, and transported from the State of Missouri into the State of New York, and charging adulteration and misbranding in violation of the food and drugs act.

Adulteration of the article was alleged in the libel for the reason that a substance deficient in butterfat had been mixed and packed therewith so as to reduce or lower or injuriously affect its quality or strength and had been substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the article was offered for sale under the distinctive name of another article.

On August 6, 1926, the Ozark Ice & Creamery Co., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,200 or the deposit of collateral in like amount, conditioned in part that it be reworked or reprocessed to the satisfaction of this department.

W. M. JARDINE, *Secretary of Agriculture.*

14543. Misbranding of wheat middlings. U. S. v. 240 Sacks of Wheat Middlings. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21146. I. S. Nos. 11855-x, 11856-x. S. No. E-5743.)

On or about June 28, 1926, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 240 sacks of wheat middlings, remaining in the original un-

broken packages at Maugansville, Md., alleging that the article had been shipped by the High Spire Flour Mills, Inc., from High Spire, Pa., in two consignments, on or about March 13 and May 12, 1926, respectively, and transported from the State of Pennsylvania into the State of Maryland, and charging misbranding in violation of the food and drugs act. The article was labeled in part: "Pure Wheat Middlings Minimum Crude Protein, 15. per cent Minimum Crude Fat, 3. per cent * * * Manufactured by Highspire Flour Mills, Inc. Highspire, Pennsylvania."

Misbranding of the article was alleged in the libel for the reason that the statement "Minimum Crude Protein, 15. per cent Minimum Crude Fat, 3. per cent" was false and misleading and deceived and misled the purchaser.

On July 2, 1926, the High Spire Flour Mills, Inc., High Spire, Pa., having appeared as claimant for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, conditioned in part that it not be sold or disposed of until properly labeled, and inspected and approved by this department.

W. M. JARDINE, *Secretary of Agriculture.*

14544. Adulteration of walnut meats. U. S. v. 10 Cases of Walnut Meats. Default decree of condemnation, forfeiture and destruction. (F. & D. No. 20855. I. S. No. 10475-x. S. No. W-1882.)

On February 23, 1926, the United States attorney for the Eastern District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 10 cases of walnut meats, remaining in the original unbroken packages at Spokane, Wash., consigned by the Sunset Nut Shelling Co., San Francisco, Calif., alleging that the article had been shipped on or about February 2, 1926, in interstate commerce from the State of California into the State of Washington, and charging adulteration in violation of the food and drugs act. The article was labeled in part: Amber Walnut Meats, Packed by Sunset Nut Shelling Co. San Francisco, Calif."

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed or putrid vegetable substance.

On July 19, 1926, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

14545. Adulteration and misbranding of vanilla flavor. U. S. v. 2 Gross Bottles Vanilla Flavor. Default decree of condemnation, forfeiture and destruction. (F. & D. No. 20772. I. S. No. 10453-x. S. No. W-1844.)

On January 14, 1926, the United States attorney for the Eastern District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 2 gross (bottles) of vanilla flavor, remaining in the original unbroken packages at Yakima, Wash., alleging that the article had been shipped by Lang & Co., from Portland, Oreg., November 28, 1925, and transported from the State of Oregon into the State of Washington, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: (Retail label) "Great American Brand Compound Vanilla Flavor Specially Prepared From Vanilla Bean Chemically Pure Vanillin, Coumarin And Caramel Color," the words "Compound Vanilla Flavor" being much more prominent than the remainder of the quoted label. The shipping case bore the retail label and the statement: "Three Dozen, Two Ounce."

Adulteration of the article was alleged in the libel for the reason that an imitation vanilla flavor, artificially flavored and colored, had been substituted wholly or in part for the said article, and in that it had been mixed and colored in a manner whereby damage and inferiority were concealed.

Misbranding was alleged for the reason that the labels on the cases containing the article were false and misleading and deceived and misled the purchaser, and for the further reason that it was an imitation of and offered for sale under the distinctive name of another article.

On July 19, 1926, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

14546. Adulteration and misbranding of feed. U. S. v. Maritime Milling Co., Inc. Plea of guilty. Fine, \$100 and costs. (F. & D. No. 19632. I. S. Nos. 12663-v, 12664-v, 22263-v, 22264-v.)

On May 25, 1925, the United States attorney for the Western District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Maritime Milling Co., Inc., a corporation, Buffalo, N. Y., alleging shipment by said company, in violation of the food and drugs act, from the State of New York into the State of Maryland, in part on or about March 21, 1924, and in part on or about June 7, 1924, of quantities of feed which was adulterated and misbranded. A portion of the article was labeled: "Creamery Red E Mixt Feed Guaranteed Analysis Protein 20% * * * Fibre 10% * * * Maritime Milling Co. Inc. Buffalo, N. Y." The remainder of the said article was labeled: "Bull Brand Registered Dairy Ration Guaranteed Analysis Protein Not Under 24% Fat Not Under 6% * * * Manufactured By Maritime Milling Co. Inc. Buffalo, N. Y."

Analysis by the Bureau of Chemistry of this department of samples of the Red E mixed feed showed that it contained 18.9 per cent and 19.4 per cent of protein and 10.3 per cent and 10.6 per cent of crude fiber; analysis by said bureau of samples of the Bull brand dairy ration showed that it contained 21.6 per cent and 21.7 per cent of protein and 5.2 per cent and 5.6 per cent of fat.

Adulteration of the article was alleged in substance in the information for the reason that a feed containing less than 20 per cent of protein and more than 10 per cent of fiber, with respect to the Red E mixed feed, and containing less than 24 per cent of protein and less than 6 per cent of fat, with respect to the Bull brand dairy ration, had been mixed and packed with the article, so as to reduce and lower and injuriously affect its quality and strength and had been substituted for the said article.

Misbranding was alleged for the reason that the statements, to wit, "Guaranteed Analysis Protein 20% Fibre 10%," with respect to the Red E mixed feed, and "Guaranteed Analysis Protein Not Under 24% Fat Not Under 6%," with respect to the Bull brand dairy ration, borne on the respective labels of the product, were false and misleading, in that the said statements represented that the former contained 20 per cent of protein and not more than 10 per cent of fiber, and that the latter contained not less than 24 per cent of protein and not less than 6 per cent of fat, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that the former contained 20 per cent of protein and not more than 10 per cent of fiber, and that the latter contained not less than 24 per cent of protein and not less than 6 per cent of fat, whereas the said Red E mixed feed contained less protein and more fiber than declared, and the said Bull brand dairy ration contained less protein and less fat than declared.

On May 15, 1926, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$100 and costs.

W. M. JARDINE, *Secretary of Agriculture.*

14547. Adulteration and misbranding of feed. U. S. v. Thomas-Boyce Feed Co. Plea of guilty. Fine, \$100. (F. & D. No. 19618. I. S. Nos. 22253-v, 22254-v.)

On April 14, 1925, the United States attorney for the Western District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Thomas-Boyce Feed Co., a corporation, trading at Attica, N. Y., alleging shipment by said company, in violation of the food and drugs act, on or about April 3, 1924, from the State of New York into the State of Maryland, of quantities of feed which was adulterated and misbranded. A portion of the article was labeled: "Direct Dairy Feed Analysis Protein 24% Fat 5% * * * Made of Pure Feed: Linseed Oilmeal, Cottonseed Meal, Corn Gluten Feed, Hominy Feed, Wheat Bran, Wheat Middlings, Salt. Manufactured by Thomas-Boyce Feed Co. Attica, N. Y." The remainder of the said article was labeled:

"Servus * * * Dairy Feed Protein 20% * * * Made of Pure Feeds: Linseed Oilmeal, Cottonseed Meal, Corn Gluten Feed, Cornmeal, Ground Barley, Ground Oats, Wheat Bran, Wheat Middlings, Salt."

Adulteration of the article was alleged in substance in the information for the reason that substances, feed composed in part of screenings and containing less than 24 per cent of protein and less than 5 per cent of fat, with respect to the Direct dairy feed, and feed composed in part of screenings and containing less than 20 per cent of protein, with respect to the Servus dairy feed, had been substituted for the said article, and had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength.

Misbranding was alleged for the reason that the statements, to wit, "Made of Pure Feed:—Linseed Oilmeal, Cottonseed Meal, Corn Gluten Feed, Hominy Feed, Wheat Bran, Wheat Middlings, Salt" and "Analysis Protein 24% Fat 5%," with respect to the Direct dairy feed, and "Made of Pure Feeds: Linseed Oilmeal, Cottonseed Meal, Corn Gluten Feed, Cornmeal, Ground Barley, Ground Oats, Wheat Bran, Wheat Middlings, Salt" and "Protein 20%," with respect to the Servus dairy feed, borne on the respective labels of the products, were false and misleading, in that the said statements represented that the articles were composed of the named ingredients, and that the former contained 24 per cent of protein and 5 per cent of fat, and that the latter contained 20 per cent of protein, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was composed of the named ingredients, and that the former contained 24 per cent of protein and 5 per cent of fat, and that the latter contained 20 per cent of protein, whereas it was composed in part of screenings, and the said Direct dairy feed contained less than 24 per cent of protein and less than 5 per cent of fat, and the said Servus dairy feed contained less than 20 per cent of protein.

On May 7, 1925, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$100.

W. M. JARDINE, *Secretary of Agriculture.*

14548. Adulteration and misbranding of canned tomatoes. U. S. v. 234 Cases of Tomatoes. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 19519. I. S. No. 13492—v. S. No. E-5108.)

On January 22, 1925, the United States attorney for the Middle District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 234 cases of tomatoes, remaining in the original unbroken packages at Wilkes-Barre, Pa., alleging that the article had been shipped by the Davis Canning Co., from Laurel, Del., on or about September 24, 1924, and transported from the State of Delaware into the State of Pennsylvania, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Dee Bee Brand Tomatoes * * * Packed By Davis Canning Co. Laurel, Del. U. S. A."

Adulteration of the article was alleged in the libel for the reason that a substance, added water, had been substituted wholly or in part for the said article, and had been mixed and packed therewith so as to reduce, lower or injuriously affect its quality or strength.

Misbranding was alleged for the reason that the statement "Tomatoes," borne on the label, was false and misleading and deceived and misled the purchaser.

On March 9, 1925, the Davis Canning Co., Laurel, Del., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and execution of a bond in the sum of \$400, conditioned in part that it be relabeled "Water 50%, Tomatoes 50% * * * These Tomatoes Were Canned With An Additional Equal Amount Of Water * * * Packed by Davis Canning Co. Laurel, Del. Canned Tomatoes Should Be Packed In Their Own Juice Without Added Water."

W. M. JARDINE, *Secretary of Agriculture.*

14549. Misbranding of Whitlock's Specific and Whitlock's U-G-R-G-L. U. S. v. 99 Bottles of Whitlock's Specific and 240 Bottles of Whitlock's U-G-R-G-L. Products released under bond to be relabeled. (F. & D. Nos. 20529, 20530, 20547, 20458. I. S. Nos. 1370-x, 1371-x, 1387-x, 1388-x. S. Nos. C-4834, C-4851.)

On November 4, 1925, the United States attorney for the Western District of Michigan, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 99 bottles of Whitlock's Specific and 240 bottles of Whitlock's U-G-R-G-L, remaining in the original unbroken packages at Grand Rapids, Mich., alleging that the articles had been shipped by the Cherokee Remedy Co., from Chicago, Ill., on or about October 23, 1925, and transported from the State of Illinois into the State of Michigan, and charging misbranding in violation of the food and drugs act as amended. The articles were labeled in part: (Whitlock's Specific) "No. 2 for Blood Disorders Whitlock's Specific A Liquid Food Makes New Blood Cherokee Remedy Co. Chicago," (Whitlock's U-G-R-G-L) "for the prevention of disease, * * * benefits in stomach troubles and intestinal infection and diseases of the bladder * * * for cuts, wounds, insect bites, skin eruptions and infections of all kinds, such as Diphtheria, Tonsilitis, etc. * * * germs that cause so much trouble can often be destroyed in the mouth, nose and air passages before they enter the stomach or lungs * * * for internal use * * * For indigestion, Bladder Or any intestinal troubles * * * Cuts * * * Insect Bites Skin Eruptions And Infected Wounds * * * Granulated Eye Lids."

Analysis by the Bureau of Chemistry of this department of samples of the articles showed that the Specific consisted of approximately 99 per cent of water with small amounts of alum, sodium benzoate and extract of a tannin containing plant drug, and that the U-G-R-G-L consisted essentially of a dilute solution of sodium carbonate in water, flavored with menthol.

Misbranding of the articles was alleged in substance in the libel for the reason that the above quoted statements, regarding their curative and therapeutic effects, were false and fraudulent, since the said articles contained no ingredient or combinations of ingredients capable of producing the effects claimed. It was alleged in the libel that the Whitlock's Specific was further misbranded for the reason that the said statements were false and misleading and deceived and misled the purchaser, in that they led the purchaser to believe that the article was a liquid food and made new blood, whereas it was not a liquid food and did not make new blood.

On July 9, 1926, J. T. Whitlock, Chicago, Ill., claimant, having petitioned for the return of the property and having undertaken to relabel the products and filed a bond to secure performance of said undertaking, it was ordered by the court that the said products be released to the claimant.

W. M. JARDINE, *Secretary of Agriculture.*

14550. Misbranding of Syrup of Ambrozoin. U. S. v. 12 Dozen Bottles of Syrup of Ambrozoin. Default decree of condemnation, forfeiture and destruction. (F. & D. No. 20457. I. S. No. 167-x. S. No. W-1787.)

On September 23, 1925, the United States attorney for the District of Oregon, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 12 dozen bottles of Syrup of Ambrozoin, remaining in the original unbroken packages at Portland, Oreg., alleging that the article had been shipped by the American Apothecaries Co., from Astoria, N. Y., on or about April 14, 1925, and transported from the State of New York into the State of Oregon, and charging misbranding in violation of the food and drugs act as amended.

Analysis by the Bureau of Chemistry of this department of a sample of the article showed that it consisted essentially of ammonium chloride, sodium bromide, glycerin, sugar, alcohol, and water, with traces of terpin hydrate, an alkaloid, a phenolic compound, and menthol.

Misbranding of the article was alleged in the libel for the reason that the labels on the bottle and carton containing the said article bore the following statements, regarding its curative and therapeutic effects: (Bottle) "Bronchitis Laryngitis Asthma Whooping Cough Pulmonary Phthisis And Other Respiratory Affections In Which A Mild Sedative Or Expectorant Is Required * * * Allays Cough, Promotes Expectoration, Exerts A soothing Influence

On The Inflamed Mucous Membrane Of The Bronchial And Pulmonary Passages And Relieves Congestion Of The Respiratory Organs * * * Dose * * * Repeated * * * Until Cough Is Allayed And Respiratory Discomfort Is Overcome," (carton) "Bronchitis Laryngitis Asthma Whooping Cough Pulmonary Phthisis * * * And Other Respiratory Affections In Which A Mild Sedative Or Expectorant Is Required * * * Allays cough Promotes Expectoration * * * Exerts A Soothing Influence On The Inflamed Mucous Membrane Of The Respiratory Passages," which said statements were false and fraudulent, since the said article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On August 5, 1926, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

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United States Department of Agriculture

SERVICE AND REGULATORY ANNOUNCEMENTS

BUREAU OF CHEMISTRY

SUPPLEMENT

N. J. 14551-14600

[Approved by the Secretary of Agriculture, Washington, D. C., January 13, 1927]

NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT

[Given pursuant to section 4 of the food and drugs act]

14551. Adulteration of tomato puree. U. S. v. 1,250 Cases of Tomato Puree. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 20674. I. S. No. 1343-x. S. No. C-4892.)

On December 1, 1925, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 1,250 cases of tomato puree, remaining in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped by the Lapel Canning Co., from Lapel, Ind., October 20, 1925, and transported from the State of Indiana into the State of Illinois, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Lapel Brand Tomato Puree * * * Packed By Lapel Canning Co. Lapel, Ind."

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a filthy, decomposed and putrid vegetable substance.

On May 28, 1926, the Lapel Canning Co., Lapel, Ind., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, conditioned in part that the decomposed portion be removed therefrom and destroyed.

W. M. JARDINE, *Secretary of Agriculture.*

14552. Adulteration and misbranding of butter. U. S. v. Belle Meade Butter Co. Plea of guilty. Fine, \$25. (F. & D. No. 16937. I. S. Nos. 8196-t, 8199-t.)

On February 23, 1923, the United States attorney for the Middle District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Belle Meade Butter Co., a corporation, Nashville, Tenn., alleging shipment by said company, in violation of the food and drugs act as amended, in two consignments, on or about May 23 and 31, 1922, respectively, from the State of Tennessee into the State of Georgia, of quantities of butter which was adulterated and misbranded. The article was labeled in part: (Package) "Creamery Butter * * * One Pound Net Weight."

Adulteration of the article was alleged in the information for the reason that a product deficient in milk fat and containing an excessive amount of water had been substituted in whole or in part for creamery butter, which the said article purported to be, and for the further reason that a valuable constituent of the article, to wit, milk fat, had been in part abstracted.

Misbranding was alleged for the reason that the statements, to wit, "Creamery Butter" and "One Pound Net Weight," borne on the packages containing the article, were false and misleading, in that the said statements represented that the article was creamery butter and that each of said packages contained 1 pound net weight thereof, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was creamery butter, and that each of said packages contained 1 pound net weight thereof, whereas it was not creamery butter but was a product deficient in milk fat and containing an excessive amount of water, and each of said packages did not contain 1 pound net weight of butter but did contain a less amount. Misbranding was alleged for the further reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On July 25, 1923, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$25.

W. M. JARDINE, *Secretary of Agriculture.*

14553. Misbranding of butter. U. S. v. 2 Cases of Butter. Decree of condemnation and forfeiture. Product released upon deposit of collateral. (F. & D. No. 20261. I. S. No. 23476-v. S. No. W-1745.)

On June 29, 1925, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 2 cases of butter, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been prepared for shipment June 25, 1925, by the Matchett-Macklem Co., Seattle, Wash., and was to have been shipped in interstate commerce from the State of Washington into the Territory of Alaska, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: (Carton) "Creamery Butter 2 Lbs. Net Weight."

It was alleged in the libel that the article was misbranded under section 8 of the act, paragraphs 2 and 3 under food, in that it was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package, and in that it was short weight.

On July 18, 1925, Swift & Co., Seattle, Wash., having appeared as claimant for the property and having admitted the allegations of the libel, judgment of condemnation was entered, and it was ordered by the court that the product be released to the said claimant for reconditioning and relabeling under the supervision of this department, upon payment of the costs of the proceedings and the deposit of collateral in the sum of \$25, to insure that it be disposed of in accordance with the law and the directions of this department.

W. M. JARDINE, *Secretary of Agriculture.*

14554. Adulteration of sauerkraut. U. S. v. 85 Barrels of Sauerkraut. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 21062. I. S. No. 10297-x. S. No. C-5097.)

On May 10, 1926, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 85 barrels of sauerkraut, remaining in the original unbroken packages at Cleveland, Ohio, alleging that the article had been shipped by Flanigan Bros., Bear Creek, Wis., on or about December 21, 1925, and transported from the State of Wisconsin into the State of Ohio, and charging adulteration in violation of the food and drugs act.

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed or putrid vegetable substance.

On July 9, 1926, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

14555. Adulteration of canned cherries. U. S. v. 49 Cases of Canned Cherries. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 19978. I. S. No. 14741-v. S. No. C-5011.)

On April 8, 1925, the United States attorney for the Eastern District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 49 cases of canned cherries, remaining in the original unbroken packages at Knoxville, Tenn., alleging that the article had been shipped by the Red Wing Co., Inc., from Fredonia, N. Y., on or about September 23, 1924, and transported from the State of New York into the State of Tennessee, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (Can) "Red Wing Brand Red Sour Pitted Cherries * * * Manufactured And Guaranteed By The Red Wing Company Incorporated Fredonia, N. Y."

It was shown in substance in the libel that the article was adulterated, in that excessive worms had been mixed and packed with the said cherries, and in that it consisted in whole or in part of a filthy, decomposed or putrid vegetable substance.

On April 3, 1926, the Red Wing Co., Inc., Fredonia, N. Y., having theretofore appeared as claimant for the property but having defaulted, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal, and that the said claimant be taxed with the costs of the proceedings.

W. M. JARDINE, *Secretary of Agriculture.*

14556. Misbranding of oysters. U. S. v. Robert W. Howeth and Charles W. Howeth, Jr. (Chas. W. Howeth Co.). Plea of guilty. Fine, \$25 and costs. (F. & D. No. 19791. I. S. No. 2029-x.)

On September 24, 1926, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Robert W. Howeth and Charles W. Howeth, jr., copartners, trading as Chas. W. Howeth Co., Crisfield, Md., alleging shipment by said defendants, in violation of the food and drugs act as amended, on or about December 17, 1925, from the State of Maryland into the State of Ohio, of a quantity of oysters which were misbranded. The article was labeled in part: "Minimum Volume 1 Gallon."

Examination by the Bureau of Chemistry of this department of 4 cans from the shipment showed an average volume of 0.97 gallon.

Misbranding of the article was alleged in the information for the reason that the statement, to wit, "Minimum Volume 1 Gallon," borne on the labels of the cans containing the said article, was false and misleading, in that the said statement represented that the cans contained at least 1 gallon of oysters, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that the said cans contained at least 1 gallon of oysters, whereas the said cans did not each contain 1 gallon of the article, but each of a number of said cans contained less than 1 gallon of oysters. Misbranding was alleged for the further reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On October 8, 1926, a plea of guilty to the information was entered, and the court imposed a fine of \$25 and costs.

W. M. JARDINE, *Secretary of Agriculture.*

14557. Adulteration and misbranding of ether. U. S. v. 6 Cases, et al., of Ether. Decrees of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 21043, 21045, 21051. I. S. Nos. 1572-x, 1573-x, 1576-x, 1577-x. S. Nos. C-5078, C-5079, C-5087.)

On June 4, 1926, the United States attorney for the Southern District of Texas, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 6 cases, each containing 100 cans, and 479 cans, of ether, remaining in the original unbroken packages at Houston, Tex., alleging that the article had been shipped by E. R. Squibb & Sons, from Kansas City, Mo., in various consignments, on December 1 and 28, 1925, and February 5 and March 29, 1926, respectively, and transported from the State of Missouri into the State of Texas, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Ether For Anesthesia It Is superior in vital respects to the ether of the U. S. P." A portion of the article was further labeled, "E. R. Squibb & Sons, New York."

Analysis by the Bureau of Chemistry of this department of samples of the article showed that one lot of the ether contained aldehyde and the other two lots contained peroxide.

Adulteration of the article was alleged in the libel for the reason that it was sold under a name recognized in the U. S. Pharmacopoeia, and differed from the standard of quality and purity as prescribed in and determined by the tests laid down in said pharmacopoeia, and in that its purity fell below the professed standard or quality under which it was sold.

Misbranding was alleged for the reason that the statements borne on the labels of the cans containing the article, "Ether for Anesthesia It Is superior in vital respects to the ether of the U. S. P.," were false and misleading.

On August 6, 1926, E. R. Squibb & Sons, New York, N. Y., having appeared as claimant for the property, and having confessed the allegations of the libels, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of bonds in the aggregate sum of \$1,100, conditioned in part that it not be sold again for anesthetic purposes and that it be relabeled under the supervision of this department.

W. M. JARDINE, *Secretary of Agriculture.*

14558. Adulteration and misbranding of butter. U. S. v. 5 Tubs of Butter. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21206. I. S. No. 6299-x. S. No. E-5816.)

On July 15, 1926, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 5 tubs of butter, remaining in the original unbroken packages at Philadelphia, Pa., consigned by the Zanesville Creamery Co., Zanesville, Ohio, alleging that the article had been shipped from Zanesville, Ohio, on or about July 12, 1926, and transported from the State of Ohio into the State of Pennsylvania, and charging adulteration and misbranding in violation of the food and drugs act.

Adulteration of the article was alleged in the libel for the reason that a substance containing less than 80 per cent of butterfat had been mixed and packed therewith so as to reduce, lower and injuriously affect its quality and strength and had been substituted wholly or in part for the said article. Adulteration was alleged for the further reason that a valuable constituent of the article, butterfat, had been wholly or in part abstracted.

Misbranding was alleged for the reason that the article was an imitation of and offered for sale under the distinctive name of another article.

On August 2, 1926, C. M. Drake & Co., Philadelphia, Pa., having appeared as claimant for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$150, conditioned in part that it be reconditioned under the supervision of this department.

W. M. JARDINE, *Secretary of Agriculture.*

14559. Adulteration and misbranding of butter. U. S. v. 5 Tubs of Butter. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21193. I. S. No. 6354-x. S. No. E-5807.)

On July 7, 1926, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 5 tubs of butter, remaining in the original unbroken packages at Philadelphia, Pa., consigned by the Sherburn Farm Creamery Co., Sherburn, Minn., alleging that the article had been shipped from Sherburn, Minn., on or about June 23, 1926, and transported from the State of Minnesota into the State of Pennsylvania, and charging adulteration and misbranding in violation of the food and drugs act.

Adulteration of the article was alleged in the libel for the reason that a substance containing less than 80 per cent of butterfat had been mixed and packed therewith so as to reduce, lower and injuriously affect its quality and strength and had been substituted wholly or in part for the said article. Adulteration was alleged for the further reason that a valuable constituent of the article, butterfat, had been wholly or in part abstracted.

Misbranding was alleged for the reason that the article was an imitation of or offered for sale under the distinctive name of another article.

On July 8, 1926, the Almar Stores Co., Philadelphia, Pa., having appeared as claimant for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$150, the terms of said bond requiring that the product be reconditioned under the supervision of this department.

W. M. JARDINE, *Secretary of Agriculture.*

14560. Adulteration and misbranding of butter. U. S. v. 36 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21204. I. S. No. 13426-x. S. No. E-5809.)

On July 14, 1926, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 36 tubs of butter, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the Crow River Co., from Cokato, Minn., on or about July 4, 1926, and transported from the State of Minnesota into the State of New York, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Shipped by Crow River Co., Cokato, Minn."

Adulteration of the article was alleged in the libel for the reason that a substance deficient in butterfat had been mixed and packed therewith so as to reduce or lower or injuriously affect its quality or strength, and had been substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the article was offered for sale under the distinctive name of another article.

On July 22, 1926, H. W. Flemming, Cokato, Minn., claimant, having admitted the allegations of the libel, and having consented to the entry of a decree and to recondition the product so that it would contain at least 80 per cent of butterfat, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,200, or the deposit of collateral in like amount, said bond or deposit being conditioned that the product be reworked and reprocessed to the satisfaction of this department.

W. M. JARDINE, *Secretary of Agriculture.*

14561. Adulteration and misbranding of butter. U. S. v. 12 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21192. I. S. No. 8279-x. S. No. E-5787.)

On July 2, 1926, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 12 tubs of butter, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the Rosemount Creamery, Rosemount, Minn., on or about June 24, 1926, and transported from the State of Minnesota into the State of New York, and charging adulteration and misbranding in violation of the food and drugs act.

Adulteration of the article was alleged in the libel for the reason that a substance deficient in butterfat had been mixed and packed therewith so as to reduce or lower or injuriously affect its quality or strength and had been substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the article was offered for sale under the distinctive name of another article.

On July 14, 1926, the Rosemount Creamery Co., Rosemount, Minn., claimant, having admitted the allegations of the libel and consented to the entry of a decree, and having agreed to recondition the product so as to contain at least 80 per cent of butterfat, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$400, conditioned in part that the product be reworked and reprocessed to the satisfaction of this department.

W. M. JARDINE, *Secretary of Agriculture.*

14562. Adulteration and misbranding of butter. U. S. v. 139 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21183. I. S. No. 8392-x. S. No. E-5785.)

On June 28, 1926, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 139 tubs of butter, remaining in the original packages at New York, N. Y., alleging that the article had been shipped by the Alexandria [Alexandria] Creamery Co., from Alexandria, Ind., on or about June 16, 1926, and transported from the State of Indiana into the State of New York, and charging adulteration and misbranding in violation of the food and drugs act.

Adulteration of the article was alleged in the libel for the reason that a substance deficient in butterfat had been mixed and packed therewith so as to reduce or lower or injuriously affect its quality or strength, and had been substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the article was offered for sale under the distinctive name of another article.

On July 15, 1926, the Alexandria Creamery Co., Alexandria, Ind., claimant, having admitted the allegations of the libel and consented to the entry of a decree, and having agreed to recondition the product so that it would contain at least 80 per cent of butterfat, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$4,500, conditioned in part that it be reworked and reprocessed to the satisfaction of this department.

W. M. JARDINE, *Secretary of Agriculture.*

14563. Adulteration and misbranding of butter. U. S. v. 21 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21205. I. S. No. 8268-x. S. No. E-5810.)

On July 14, 1926, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 21 tubs of butter, remaining in the original unbroken packages at New York, N. Y., consigned by C. E. Bachelder, Marion, Iowa, alleging that the article had been shipped from Marion, Iowa, on or about July 3, 1926, and transported from the State of Iowa into the State of New York, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Shipped by C. E. Bachelder, Marion, Ia."

Adulteration of the article was alleged in the libel for the reason that a substance deficient in butterfat had been mixed and packed therewith so as to reduce or lower or injuriously affect its quality or strength, and had been substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the article was offered for sale under the distinctive name of another article.

On July 17, 1926, C. E. Bachelder, Marion, Iowa, claimant, having admitted the allegations of the libel and consented to the entry of a decree, and having agreed to recondition the product so that it would contain at least 80 per cent of butterfat, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$700, conditioned in part that it be reworked and reprocessed to the satisfaction of this department.

W. M. JARDINE, *Secretary of Agriculture.*

14564. Misbranding of butter. U. S. v. 10 Cases of Butter. Product released under bond. (F. & D. No. 21176. I. S. No. 7528-x. S. No. E-5776.)

On or about June 23, 1926, the United States attorney for the Southern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 10 cases of butter, remaining in the original unbroken packages at Savannah, Ga., alleging that the article had been shipped from the Armour Creameries, Louisville, Ky., June 17, 1926, and transported from the State of Kentucky into the State of Georgia, and charging misbrand-

ing in violation of the food and drugs act as amended. The article was labeled in part: "1 Lb. Net Weight Goldendale Creamery Butter Armour And Company General Offices, Chicago, Distributors."

It was alleged in substance in the libel that the article was misbranded in violation of section 8 of the act, paragraphs 3 and 4 under food, in that the net weight statement "1 Lb. Net Weight," borne on the label, was not correct, and in that the said statement was false and misleading, since the product had a net weight of less than 1 pound.

On June 28, 1926, Armour & Co., Chicago, Ill., having appeared as claimant for the property, and the product having been theretofore delivered to the said claimant upon the execution of a good and sufficient bond, conditioned that it not be sold or otherwise disposed of contrary to law, an order was entered, providing that the libel be dismissed upon payment of the costs of the proceedings.

W. M. JARDINE, *Secretary of Agriculture.*

14565. Adulteration and misbranding of canned corn. U. S. v. 500 Cans, et al., of Corn. Product bonded, relabeled, and ordered released. (F. & D. Nos. 20060, 20061, 20064. I. S. Nos. 14732-v, 14733-v, 14734-v. S. Nos. E-5201, E-5203.)

On May 8, 1925, the United States attorney for the Southern District of West Virginia, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 1,940 cases of canned corn, in part at Charleston, W. Va., and in part at Logan, W. Va., alleging that the article had been shipped by the London Canning Co., from London, Ohio, in part October 7, 1924, and in part October 17, 1924, and transported from the State of Ohio into the State of West Virginia, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: (Can) "Oak Run Brand" (or "Deer Creek Brand" or "Top Notch Brand") "Sugar Corn * * * Packed By London Canning Company, London, Ohio."

Adulteration of the article was alleged in the libels for the reason that a substance, field corn, had been mixed and packed therewith so as to reduce, lower or injuriously affect its quality or strength and had been substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the designation, "Sugar Corn," was false and misleading and deceived and misled the purchaser, and in that it was offered for sale under the distinctive name of another article.

On August 12, 1925, F. A. Fishbaugh, trading as the London Canning Co., London, Ohio, having appeared as claimant for the property, and the product having been properly relabeled under the supervision of this department, a decree was entered, ordering that the said product be released and delivered to the claimant, and that the bond theretofore executed be exonerated.

W. M. JARDINE, *Secretary of Agriculture.*

14566. Adulteration of canned cherries. U. S. v. 6 Cases of Canned Cherries. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 20894. I. S. No. 5760-x. S. No. E-5646.)

On February 26, 1926, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 6 cases of canned cherries, at Pittsburgh, Pa., alleging that the article had been shipped by W. N. Clark Co., from Rochester, N. Y., on or about October 14, 1925, and transported from the State of New York into the State of Pennsylvania, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (Can) "W. N. Clark Co. Pitted Red Cherries Preserved In Heavy Cane Syrup Rochester, N. Y. * * * Packers Of Fancy Quality Canned Fruits and Vegetables."

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed or putrid vegetable substance.

On August 5, 1926, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

14567. Misbranding of Lithadonis. U. S. v. 21 Bottles of Lithadonis. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 20521. S. No. E-5518.)

On October 20, 1925, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 21 bottles of Lithadonis, at Pittsburgh, Pa., alleging that the article had been shipped by the American Apothecaries Co., from Astoria, N. Y., on or about March 19, 1925, and transported from the State of New York into the State of Pennsylvania, and charging misbranding in violation of the food and drugs act as amended.

Analysis by the Bureau of Chemistry of this department of a sample of the article showed that it consisted of tablets containing compounds of lithium and iodine, salicylate, caffeine, and a material derived from plant drugs including a laxative drug.

Misbranding of the article was alleged in substance in the libel for the reason that the statements, borne on the bottle label: "For * * * Gout * * * Indications * * * Arthritis * * * Lumbago Sciatica, Gout, Par excellence for Tophi, Calculi and all forms of chronic Uric-Acid deposits in Joints, Glands or Tissues. Invaluable, also, in Gonorrhoeal Rheumatism and mixed infections, from Scrofula, Syphilis, etc., In acute attacks and while pain lasts in chronic cases * * * When pain has been relieved diminish frequency. It is advised to give the Saline Laxative Salviae every morning, which should be continued after dispersal of Tophi, etc., to prevent their reforming," regarding the curative and therapeutic effects of the said article, were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed.

On August 5, 1926, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

14568. Adulteration and misbranding of evaporated apples. U. S. v. 18 Boxes of Evaporated Apples. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 19932. I. S. No. 15622-v. S. No. E-5256.)

On March 28, 1925, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 18 boxes of evaporated apples, at Pittsburgh, Pa., alleging that the article had been shipped by the A. B. Williams Fruit Co., from Sodus, N. Y., on or about January 26, 1925, and transported from the State of New York into the State of Pennsylvania, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Puritan Brand Extra Fancy New York State Evaporated Ring Apples * * * A. B. Williams Fruit Co. Sodus, Wayne Co., N. Y."

Adulteration of the article was alleged in the libel for the reason that a substance, excessive moisture, had been mixed and packed with and substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the statement "Extra Fancy Evaporated Apples" was false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the article was offered for sale under the distinctive name of another article.

On August 5, 1926, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

14569. Misbranding of Syrup of Ambrozin. U. S. v. 20 Bottles of Syrup of Ambrozin. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 20493. S. No. E-5519.)

On October 14, 1925, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 20 bottles of Syrup of Ambrozin, at Pittsburgh, Pa., alleging that the article had been shipped by the American Apothecaries Co., from Astoria, L. I., N. Y., on or about November 18, 1924, and transported from the State of New York into the State of Pennsylvania, and charging mis-

branding in violation of the food and drugs act as amended. The article was labeled in part: (Bottle label) "Bronchitis Laryngitis Asthma Whooping Cough Pulmonary Phthisis And Other Respiratory Affections In Which A Mild Sedative Or Expectorant Is Required. * * * Allays Cough, Promotes Expectoration, Exerts A Soothing Influence On The Inflamed Mucous Membrane Of The Bronchial And Pulmonary Passages And Relieves Congestion Of The Respiratory Organs * * * Dose * * * Repeated * * * Until Cough Is Allayed And Respiratory Discomfort Is Overcome," (carton) "Bronchitis Laryngitis Asthma Whooping Cough Pulmonary Phthisis * * * And Other Respiratory Affections In Which A Mild Sedative Or Expectorant Is Required * * * Allays Cough Promotes Expectoration * * * Exerts A Soothing Influence On The Inflamed Mucous Membrane Of The Respiratory Passages."

Analysis by the Bureau of Chemistry of this department of a sample of the article showed that it consisted essentially of ammonium chloride, sodium bromide, glycerin, sugar, alcohol, and water, with traces of terpin hydrate, an alkaloid, a phenolic compound, and menthol.

Misbranding of the article was alleged in the libel for the reason that the above-quoted statements regarding the curative and therapeutic effects of the said article were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed.

On August 5, 1926, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

14570. Adulteration and misbranding of canned tuna fish. U. S. v. 7¼ Cases of Tuna Fish. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 19920. I. S. No. 15624-v. S. No. E-3267.)

On March 25, 1925, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 7¼ cases of tuna fish, at Pittsburgh, Pa., alleging that the article had been shipped by the M. DeBruyn Importing Co., from New York, N. Y., on or about February 18, 1925, and transported from the State of New York into the State of Pennsylvania, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: (Can) "Juanita Brand California Tuna Standard All Light Meat * * * Bisco Distributing Co. New York," (case) "Juanita Light Meat Tuna."

Adulteration of the article was alleged in the libel for the reason that a substance, yellowtail, had been mixed and packed therewith so as to reduce, lower or injuriously affect its quality and strength and had been substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the statements "Light Meat Tuna," "California Tuna Standard All Light Meat," borne on the labels, were false and misleading and deceived and misled the purchaser, and for the further reason that the article was offered for sale under the distinctive name of another article.

On August 5, 1926, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

14571. Adulteration and misbranding of cocoa powder. U. S. v. 13 Cases of Cocoa Powder. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 21139. I. S. No. 7235-x. S. No. E-5788.)

On June 19, 1926, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 13 cases of cocoa powder, remaining in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped by the Chocolate Refiners, Inc., from Mansfield, Mass., on or about February 13, 1926, and transported from the State of Massachusetts into the State of Maryland, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Gilberts Pure Cocoa Powder * * * Manufactured By Chocolate Refiners Inc. Mansfield, Mass."

Adulteration of the article was alleged in the libel for the reason that a substance, mineral matter, had been mixed and packed therewith so as to reduce, lower and injuriously affect its quality and strength and had been substituted in part for the said article.

Misbranding was alleged for the reason that the statement "Pure Cocoa Powder," borne on the label, was false and misleading and deceived and misled the purchaser, and for the further reason that it was offered for sale under the distinctive name of another article.

On August 12, 1926, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

14572. Misbranding of evaporated apples. U. S. v. 18 Cases and 25 Cases of Evaporated Apples. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 20112. I. S. Nos. 14651-v, 14652-v. S. No. C-5015.)

On June 11, 1925, the United States attorney for the Middle District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 43 cases of evaporated apples, remaining in the original unbroken packages at Nashville, Tenn., alleging that the article had been shipped by the Aspegren Fruit Co., Sodus, N. Y., on or about November 25, 1924, and transported from the State of New York into the State of Tennessee, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: (Carton) "La Perla Brand Evaporated Apples" (or "Victor Brand Evaporated Apples") "Sulphured Packed By The Aspegren Fruit Co. Sodus, N. Y. Net Weight 15 Oz." (or "Net Weight 8 Ounces").

It was alleged in substance in the libel that the article was short weight and was misbranded, in that the statements "Net Weight 8 Ounces" and "Net Weight 15 Oz.," borne on the labels, were false and misleading and deceived and misled the purchaser, and in that the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On August 31, 1925, Robert Orr & Co., Nashville, Tenn., having appeared as claimant for the property and having admitted the allegations of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$250, conditioned in part that the claimant open each package and add a sufficient quantity of apples to bring the weight up to the declared amount.

W. M. JARDINE, *Secretary of Agriculture.*

14573. Misbranding of olive oil and salad oil. U. S. v. 12 Gallon Cans of Olive Oil, et al. Consent decree of condemnation and forfeiture. Products released under bond. (F. & D. Nos. 20122, 20124, 20167, 20168, 20169, 20170. I. S. Nos. 24363-v, 24364-v, 24365-v, 24367-v to 24372-v, incl. S. Nos. E-5323, E-5332, E-5333, E-5335, E-5340, E-5341.)

On June 18, 20, and 24, 1925, respectively, the United States attorney for the District of New Jersey, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 40 gallon cans, 35 half-gallon cans, and 17 cases containing various sized cans, of olive oil, and 4 cases containing gallon cans of salad oil, at Newark, N. J., alleging that the articles had been shipped by A. Gash, New York, N. Y., in various consignments during the months of April and May, 1925, and transported from the State of New York into the State of New Jersey, and charging misbranding in violation of the food and drugs act as amended. The articles were labeled, variously: "Italian Product Virgin Olive Oil Agash Brand * * * A. Gash Importer & Packer Oneglia Italy. N. Y. U. S. A. Net Contents One Full Gallon" (or "Net Contents One Full Quart" or "Net Contents One Half Gallon") "Olive Oil Agash Brand Italy Net Contents One Half Gallon * * * Contenuto ½ Gallone Netto," "Imported Product Amico Brand Virgin Olive Oil Net Contents One Gallon * * * A. Gash, Importer And Packer," "Extra Quality Oil The Italian Cook Brand 0.98 Of One Gallon Or 7½ Lbs. Net"; "Virgin Olive Oil Agash Italy Net Contents One Full Gallon"; "Extra Quality Oil The Italian Cook Brand Vegetable Salad Oil 0.98 Of One Gallon Or 7½ Lbs. Net."

Misbranding of the articles was alleged for the reason that the statements, "0.98 Of One Gallon Or 7½ Lbs. Net," "Net Contents One Full Gallon," "Net Contents One Gallon," "Net Contents One Half Gallon," "Contenuto ½ Gallone Netto," or "Net Contents One Full Quart," as the case might be, borne on the labels of the respective sized cans, were false and misleading and deceived and misled the purchaser, since the amount stated was not correct. Misbranding was alleged for the further reason that the articles were food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the packages.

On June 24, 1926, Abraham Gash, New York, N. Y., having appeared as claimant for the property and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the products be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$450, conditioned in part that it not be sold or disposed of contrary to law.

W. M. JARDINE, *Secretary of Agriculture.*

14574. Misbranding of Mecca compound. U. S. v. 15 Packages, et al., of Mecca Compound. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 20869, 20870. I. S. Nos. 1236-x, 1237-x. S. Nos. C-4966, C-4967.)

On February 19, 1926, the United States attorney for the Eastern District of Wisconsin, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 8¼ dozen two-ounce packages, 3½ dozen six-ounce packages and 1¾ dozen thirteen-ounce packages of Mecca compound, alleging that the article had been shipped by the Foster-Dack Co., from Chicago, Ill., between the dates of July 18, 1925, and January 29, 1926, and transported from the State of Illinois into the State of Wisconsin, and charging misbranding in violation of the food and drugs act as amended. The article was contained in boxes labeled in part: "Healing * * * for all kinds of Sores and inflammation giving quick relief and aiding nature to make speedy cures * * * For * * * Barber's Itch, Eczema, Erysipelas, Hives, Salt Rheum * * * Blood Poison, boils, diphtheritic Sore Throat, Pneumonia and all kinds of inflammation."

Analysis by the Bureau of Chemistry of this department of a sample of the article showed that it consisted essentially of zinc oxide, petrolatum, and fat, with traces of menthol, thymol, and phenol.

It was alleged in substance in the libels that the article was misbranded, in that the above-quoted statements regarding its curative and therapeutic effects were false and fraudulent, since it contained no ingredient or substance capable of producing the effects claimed.

On June 2, 1926, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

14575. Misbranding and alleged adulteration of coffee. U. S. v. 25 Cans, et al., of Coffee. Decrees of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 21093, 21098, 21100, 21101. I. S. Nos. 11732-x, 11733-x, 11739-x, 11742-x. S. Nos. C-5151, C-5159, C-5160, C-5163.)

On May 26 and 31, 1926, respectively, the United States attorney for the Eastern District of Texas, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 225 cans of coffee, remaining in the original unbroken packages in various lots at Jacksonville, San Augustine, Joaquin, and Carthage, Tex., respectively, alleging that the article had been shipped by the Cuban Coffee Mills, from Shreveport, La., between the approximate dates of May 4 and May 26, 1926, and transported from the State of Louisiana into the State of Texas, and charging adulteration and misbranding in violation of the food and drugs act. The article was consigned in crates labeled in letters half an inch high, "Coffee & Chicory Blend." The crates were further labeled, "SPB Cuban" together with name of consignee and a statement of weight. The cans were labeled, "Packed by Cuban Coffee Mills, Inc., Shreveport, La."

Adulteration of the article was alleged in the libels for the reason that a substance, chicory, had been mixed and packed therewith so as to reduce, lower or injuriously affect its quality and strength and had been substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the designation "SPB" was false and misleading and deceived and misled the purchaser, and for the further reason that it was offered for sale under the distinctive name of another article.

On June 21 and 24, 1926, respectively, the Cuban Coffee Mills, Shreveport, La., having appeared as claimant for the property, and the court having found that the material allegations of the libels were true, decrees were entered, adjudging the product misbranded and ordering its condemnation and forfeiture, and it was further ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of good and sufficient bonds, conditioned in part that it not be sold or otherwise disposed of contrary to law.

W. M. JARDINE, *Secretary of Agriculture.*

14576. Misbranding of oil. U. S. v. Reliable Importing Co. Plea of guilty. Fine, \$1,400. (F. & D. No. 19753. I. S. Nos. 5441-x, 6949-x, 6950-x, 6952-x to 6957-x, incl.)

At the July, 1926, term of the United States District Court within and for the Southern District of New York, the United States attorney for said district, acting upon a report by the Secretary of Agriculture, filed in the district court aforesaid an information against the Reliable Importing Co., a corporation, Brooklyn, N. Y., alleging shipment by said company, in violation of the food and drugs act as amended, in various consignments between the approximate dates of September 4 and October 5, 1925, from the State of New York in part into the State of Rhode Island and in part into the State of Connecticut, of quantities of oil which was misbranded. The cases containing the article were labeled, variously: "6-1 Gal. Cans," "12- $\frac{1}{2}$ Gal. Cans," "Six 1 gallon cans," or "24- $\frac{1}{4}$ Gal. Cans." The cans were labeled in part: "Contadina Brand Oil Superior Quality * * * 0.98 Of One Gallon Or 7 $\frac{1}{2}$ Lbs. Net" (or "0.98 Of $\frac{1}{2}$ Gallon Or 3 $\frac{3}{4}$ Lbs. Net" or "0.98 Of $\frac{1}{4}$ Gallon Or 1 $\frac{7}{8}$ Lbs. Net") "Contadina Oil Co."

Misbranding of the article was alleged in substance in the information for the reason that the statements, "6-1 Gal. Cans," "12- $\frac{1}{2}$ Gal. Cans," "Six 1 gallon cans," or "24- $\frac{1}{4}$ Gal. Cans," as the case might be, borne on the cases containing the said cans, and the statements, "0.98 Of One Gallon Or 7 $\frac{1}{2}$ Lbs. Net," "0.98 Of $\frac{1}{2}$ Gallon Or 3 $\frac{3}{4}$ Lbs. Net," or "0.98 Of $\frac{1}{4}$ Gallon Or 1 $\frac{7}{8}$ Lbs. Net," as the case might be, borne on the cans, were false and misleading, in that the statements on the said cases represented that the cans contained 1 gallon, $\frac{1}{2}$ gallon, or $\frac{1}{4}$ gallon of the article, and the statements on the cans represented that they contained 0.98 gallon, $\frac{1}{2}$ gallon or $\frac{1}{4}$ gallon, as the case might be, or 7 $\frac{1}{2}$ pounds, 3 $\frac{3}{4}$ pounds or 1 $\frac{7}{8}$ pounds, respectively, and for the further reason that the article was labeled as aforesaid so as to represent that the said cans contained the said respective amounts, whereas they contained less than 0.98 gallon, $\frac{1}{2}$ gallon, or $\frac{1}{4}$ gallon, as the case might be, and less than 7 $\frac{1}{2}$ pounds, 3 $\frac{3}{4}$ pounds and 1 $\frac{7}{8}$ pounds, respectively. Misbranding was alleged for the further reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the packages.

On July 26, 1926, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$1,400.

W. M. JARDINE, *Secretary of Agriculture.*

14577. Misbranding and alleged adulteration of vinegar. U. S. v. 53 Barrels and 41 Barrels of Vinegar. Decrees of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 12141, 15642. I. S. Nos. 7755-r, 3539-t. S. Nos. C-1714, C-3325.)

On February 11, 1920, and November 28, 1921, respectively, the United States attorney for the District of Minnesota, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 94 barrels of vinegar, remaining in the original unbroken packages in part at St. Paul, Minn., and in part at Fergus Falls, Minn., alleging that the article had been shipped by the Douglas Packing Co., from Canastota, N. Y., on or about September 22, 1919, and October 28, 1921, respectively, and transported from the State of New York into the State of Minnesota, and charging adulteration and misbranding in violation of the food and drugs act. The barrels containing a portion of the article were labeled: (On end) "Douglas Packing Co. Excelsior Brand Apple Cider Vinegar Made from Selected Apples * * * Rochester, N. Y.," (other end) "48- $\frac{1}{2}$

Guaranteed To Comply With All Pure Food Laws Douglas Packing Company Rochester, N. Y." The barrels containing the remainder of the article were labeled in part: "Douglas Packing Co. Apple Cider Vinegar Made From Selected Apples * * * Rochester, N. Y."

Adulteration of the article was alleged in substance in the libels for the reason that vinegar made from evaporated or dried apple products had been mixed and packed with and substituted wholly or in part for the said article.

Misbranding was alleged with respect to a portion of the product for the reason that the statements on the barrel, to wit, "Apple Cider Vinegar" and "Guaranteed To Comply With All Pure Food Laws," were false and misleading and deceived and misled the purchaser, and for the further reason that it was an imitation of and offered for sale under the distinctive name of another article.

Misbranding was alleged with respect to the remainder of the product for the reason that it was labeled, "Apple Cider Vinegar Made From Selected Apples," so as to deceive and mislead the purchaser, for the further reason that the said statement was false and misleading and deceived and misled the purchaser, in that the article contained barium, and for the further reason that it was an imitation of and offered for sale under the distinctive name of another article.

On June 12, 1926, the Douglas Packing Co., Rochester, N. Y., having appeared as claimant for the property, and having agreed that the product not be sold or otherwise disposed of contrary to law, decrees of the court were entered, adjudging the product misbranded and ordering its condemnation and forfeiture, and it was further ordered by the court that the said product be delivered to the claimant upon payment of the costs of the proceedings.

W. M. JARDINE, *Secretary of Agriculture.*

14578. Misbranding of vinegar. U. S. v. 76 Barrels and 76 Barrels of Vinegar. Decrees of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 21135, 21153. I. S. Nos. 3296-x, 3355-x. S. Nos. C-5174, C-5180.)

On June 15, and 26, 1926, respectively the United States attorney for the District of Minnesota, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 152 barrels of vinegar, remaining in the original unbroken packages at St. Paul, Minn., alleging that the article had been shipped by J. G. Wright, from Wilson, N. Y., in part May 27, 1926, and in part June 5, 1926, and transported from the State of New York into the State of Minnesota, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: "Niagara Brand Pure Apple Cider Vinegar * * * 53 Gals. J. G. Wright, Wilson, New York."

Misbranding of the article was alleged in the libels for the reason that the statement "53 Gals.," borne on the labels, was false and misleading and deceived and misled the purchaser, and for the further reason that it was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On June 22 and 28, 1926, respectively, J. G. Wright, Wilson, N. Y., having appeared as claimant for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of bonds in the aggregate sum of \$1,500, conditioned in part that it be labeled in accordance with the law.

W. M. JARDINE, *Secretary of Agriculture.*

14579. Adulteration of canned cherries. U. S. v. 500 Cases of Canned Cherries. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 20742. I. S. No. 5017-x. S. No. E-5559.)

On January 5, 1926, the United States attorney for the Northern District of West Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 500 cases of canned cherries, at Wheeling, W. Va., alleging that the article had been packed by the Webster Canning & Preserving Co., Webster, N. Y., and that it had been shipped by said firm in interstate commerce from the State of New York into the State of West Virginia, on or about July 20, 1925, and charging adulteration in violation of the food and drugs act.

Adulteration of the article was alleged in the libel for the reason that it consisted wholly or in part of a filthy, decomposed and putrid vegetable substance.

On June 1, 1926, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

14580. Adulteration and misbranding of coriander seed. U. S. v. 7 Sacks of Coriander Seed. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 21124. I. S. No. 8133-x. S. No. E-5734.)

On June 14, 1926, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 7 sacks of coriander seed, remaining unsold in the original sacks at New York, N. Y., alleging that the article had been shipped by Kingan & Co., from Indianapolis, Ind., on or about May 15, 1926, and transported from the State of Indiana into the State of New York, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Coriander Seed From Archibald & Lewis Co. * * * New York Kingan & Co., Indianapolis, Ind."

Adulteration of the article was alleged in the libel for the reason that a substance, excessive foreign material, had been substituted wholly or in part for the said article, and for the further reason that it consisted in whole or in part of a filthy, decomposed or putrid vegetable substance.

Misbranding was alleged for the reason that the statement on the label "Coriander Seed" was false and misleading and deceived and misled the purchaser.

On August 13, 1926, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

14581. Misbranding of salad oil. U. S. v. 12 Tins of Salad Oil. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 20171. I. S. No. 24366-v. S. No. E-5336.)

On June 24, 1925, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 12 tins of salad oil, remaining unsold at Newark, N. J., alleging that the article had been shipped by A. Gash, New York, N. Y., on or about April 30, 1925, and transported from the State of New York into the State of New Jersey, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: "Extra Quality Oil The Italian Cook Brand Vegetable Salad Oil 0.98 Of One Gallon Or 7½ Lbs. Net."

Misbranding of the article was alleged in the libel for the reason that the statement, "0.98 Of One Gallon Or 7½ Lbs. Net," borne on the label, was false and misleading and deceived and misled the purchaser, since the amount stated was not correct. Misbranding was alleged for the further reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On August 18, 1926, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

14582. Adulteration of canned frozen eggs. U. S. v. 16 30-Pound Cans of Frozen Whole Eggs. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 21143. I. S. No. 8225-x. S. No. E-5794.)

On June 22, 1926, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 16 30-pound cans of frozen whole eggs, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by Hurst & Majors, Manhattan, Kans., on or about May 25, 1926, and transported from the State of Kansas into the State of New York, and charging adulteration in violation of the food and drugs act. The article was labeled, "Hurst & Majors 157 Manhattan, Kans."

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed or putrid animal substance.

On July 27, 1926, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

14583. Adulteration and misbranding of crabapple jelly. U. S. v. 7 Cartons of Crabapple Jelly. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 19576. I. S. No. 13421-v. S. No. E-5135.)

On or about February 16, 1925, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 7 cartons of crabapple jelly, remaining unsold at Paterson, N. J., alleging that the article had been shipped by George S. Murphy, Inc., New York, N. Y., in part on or about June 20, 1924, and in part on or about July 10, 1924, and transported from the State of New York into the State of New Jersey, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Honeydew Pure Jelly * * * Crab Apple George S. Murphy, Inc. New York."

Adulteration of the article was alleged in the libel for the reason that a substance, pectin, had been mixed and packed therewith so as to reduce, lower and injuriously affect its quality and strength, and for the further reason that pectin jelly had been substituted wholly and in part for the said article.

Misbranding was alleged for the reason that the statement "Honeydew Pure Jelly Crab Apple," together with a cut of various fruits, including apples, borne on the label, was false and misleading and deceived and misled the purchaser, and for the further reason that the article was offered for sale under the distinctive name of another article.

On August 18, 1926, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

14584. Adulteration and misbranding of butter. U. S. v. 29 Boxes of Butter. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 20172. I. S. No. 17300-v. S. No. E-5360.)

On June 22, 1925, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 29 boxes of butter, remaining in the original unbroken packages at Baltimore, Md., consigned June 12, 1925, alleging that the article had been shipped by Fred C. Mansfield, from Chicago, Ill., and transported from the State of Illinois into the State of Maryland, and charging adulteration and misbranding in violation of the food and drugs act as amended. The article was labeled in part: (Parchment wrapper on print) "One Pound Net."

Adulteration of the article was alleged in the libel for the reason that a substance found in butterfat had been mixed and packed therewith so as to reduce, lower and injuriously affect its quality and strength and had been substituted wholly or in part for butter, a product which should contain not less than 80 per cent by weight of milk fat as prescribed by the act of March 4, 1923.

Misbranding was alleged for the reason that the article was offered for sale under the distinctive name of another article. Misbranding was alleged for the further reason that the statement "One Pound Net," borne on the label, was false and misleading and deceived and misled the purchaser, and for the further reason that it was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On July 13, 1925, E. A. Waddington, jr., Baltimore, Md., having appeared as claimant for the property, judgment of condemnation was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$800, conditioned in part that it not be sold or disposed of until properly labeled, and inspected and approved by this department.

W. M. JARDINE, *Secretary of Agriculture.*

14585. Adulteration and misbranding of tomato puree and strained tomatoes. U. S. v. Keough Canning Co. Plea of guilty. Fine, \$200. (F. & D. No. 19761. I. S. Nos. 5442-x, 7151-x to 7157-x, incl.)

At the April, 1926, term of the United States District Court within and for the District of New Jersey, the United States attorney for said district, acting upon a report by the Secretary of Agriculture, filed in the district court aforesaid an information against the Keough Canning Co., a corporation, Glassboro, N. J., alleging shipment by said company in violation of the food and drugs act, in various consignments between the approximate dates of August 27 and October 10, 1925, from the State of New Jersey, in part into the State of New York, and in part into the State of Massachusetts, of quantities of tomato puree and strained tomatoes which were adulterated, and a portion of which were misbranded. A portion of the strained tomatoes was labeled in part: (Can) "Blue Coat Brand" (or "Holly Bush Brand") "Packed By Keough Canning Co., Glassboro, N. J. Made From Whole Sound Ripe Tomatoes." The remainder of the products were labeled in part: (Can) "Sweet Life Brand Fancy Tomato Puree," "See Bee Brand Strained Tomatoes," or "Lily White Brand * * * Concentrated Strained Tomatoes," as the case might be.

Adulteration of the articles was alleged in the information for the reason that they consisted in part of filthy and decomposed and putrid vegetable substances.

Misbranding was alleged with respect to a portion of the product for the reason that the statement, to wit, "Made From Whole Sound Ripe Tomatoes," borne on the labels of the said portion, was false and misleading, in that the said statement represented that the article was made exclusively from whole, sound, ripe tomatoes, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was made exclusively from whole, sound, ripe tomatoes, whereas it was not but was made in part from partially decomposed tomatoes.

On July 7, 1926, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$200.

W. M. JARDINE, *Secretary of Agriculture.*

14586. Adulteration of butter. U. S. v. 15 Cubes of Butter. Default decree of forfeiture entered. Product delivered to charitable institution. (F. & D. No. 20924. I. S. No. 527-x. S. No. W-1919.)

On February 23, 1926, the United States attorney for the Southern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 15 cubes of butter, remaining in the original unbroken packages at Los Angeles, Calif., alleging that the article had been shipped by the Gooding Cooperative Creamery, Gooding, Idaho, on or about February 11, 1926, and transported from the State of Idaho into the State of California, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "From GCC Co. Gooding."

Adulteration of the article was alleged in the libel for the reason that a product deficient in milk fat had been substituted wholly or in part for butter, and in that a valuable constituent, namely, milk fat, had been partially abstracted therefrom.

On July 29, 1926, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be delivered to a charitable institution.

W. M. JARDINE, *Secretary of Agriculture.*

14587. Adulteration of walnut meats. U. S. v. 20 Cases of Walnut Meats. Decree of condemnation, forfeiture, and destruction entered. (F. & D. No. 20827. I. S. No. 10420-x. S. No. W-1863.)

On February 6, 1926, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 20 cases of walnut meats, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped by the Sunset Nut Shelling Co., from San Francisco, Calif., January 23, 1926, and transported from the State of California into the State of Washington, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Walnut Meats Packed By Sunset Nut Shelling Co. San Francisco, Cal."

Adulteration of the article was alleged in the libel for the reason that it consisted wholly or in part of a filthy and decomposed vegetable substance.

On May 18, 1926, the Sunset Nut Shelling Co., San Francisco, Calif., having appeared as claimant for the property and having admitted the allegations of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal, and that the claimant pay the costs.

W. M. JARDINE, *Secretary of Agriculture.*

14588. Adulteration and misbranding of butter. U. S. v. 16 Tubs of Butter. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21229. I. S. No. 6380-x. S. No. E-5814.)

On July 16, 1926, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 16 tubs of butter, remaining in the original unbroken packages at Philadelphia, Pa., consigned by the Muskingum Valley Creamery Co., Malta, O., alleging that the article had been shipped from Malta, Ohio, on or about July 13, 1926, and transported from the State of Ohio into the State of Pennsylvania, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "From The Muskingum Valley Creamery Co., McConnelsville, Ohio."

Adulteration of the article was alleged in the libel for the reason that a substance containing less than 80 per cent of butterfat had been mixed and packed therewith so as to reduce, lower and injuriously affect its quality and strength and had been substituted wholly or in part for the said article, and in that a valuable constituent of the article, butterfat, had been wholly or in part abstracted.

Misbranding was alleged for the reason that the article was an imitation of or offered for sale under the distinctive name of another article.

On July 23, 1926, the Crawford & Lehman Co., Inc., Philadelphia, Pa., having appeared as claimant for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings, said costs to include the supervision of the reconditioning of the product by a representative of this department, and the execution of a good and sufficient bond, in conformity with section 10 of the act.

W. M. JARDINE, *Secretary of Agriculture.*

14589. Misbranding of evaporated apples. U. S. v. 28 Cases of Victor Brand Evaporated Apples. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 20133. I. S. No. 14697-v. S. No. C-5016.)

On June 24, 1925, the United States attorney for the Middle District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 28 cases of evaporated apples, remaining in the original unbroken packages at Nashville, Tenn., alleging that the article had been shipped by the Aspegren Fruit Co., Sodus, N. Y., on or about November 25, 1924, and transported from the State of New York into the State of Tennessee, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: (Carton) "Net Weight 8 Ounces Victor Brand Evaporated Apples Packed By The Aspegren Fruit Co. Sodus, N. Y."

It was alleged in the libel that the article was short weight and was misbranded, in that the statement "Net Weight 8 Ounces" was false and misleading and deceived and misled the purchaser, and in that it was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On August 31, 1925, C. T. Cheek & Sons, Nashville, Tenn., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$250, conditioned in part that a sufficient quantity of apples be added to each package to bring the weight up to the declared amount.

W. M. JARDINE, *Secretary of Agriculture.*

14590. Misbranding of meat and bone scrap. U. S. v. 150 Sacks of Meat and Bone Scrap. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 20741. I. S. No. 8674-x. S. No. E-5560.)

On December 30, 1925, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 150 sacks of meat and bone scrap, remaining in the original unbroken packages at Walkersville, Md., alleging that the article had been shipped by the Berg Co., from Philadelphia, Pa., on or about September 3, 1925, and transported from the State of Pennsylvania into the State of Maryland, and charging misbranding in violation of the food and drugs act. The article was labeled in part: "Berg's 50% Protein Poultry Meat & Bone Scrap Guaranteed Analysis Min. Protein 50.00% * * * Manufactured By The Berg Company Incorporated Philadelphia, Pa."

Misbranding of the article was alleged in the libel for the reason that the label bore the following statement "50% Protein * * * Guaranteed Analysis Min. Protein 50.00%," which was false and misleading and deceived and misled the purchaser.

On February 10, 1926, the Berg Co., Philadelphia, Pa., having appeared as claimant for the property, judgment of condemnation was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$862.50, conditioned in part that it not be sold or disposed of until labeled to show the correct contents, and inspected and approved by this department.

W. M. JARDINE, *Secretary of Agriculture.*

14591. Misbranding of flour. U. S. v. 22 Sacks of Flour. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 20205. I. S. No. 16267-v. S. No. E-5420.)

On July 7, 1925, the United States attorney for the Western District of South Carolina, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 22 sacks of flour, at Fort Mill, S. C., alleging that the article had been shipped by the Model Mills, from Lexington, N. C., on or about June 18, 1925, and transported from the State of North Carolina into the State of South Carolina, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: "24 Lbs. When Packed."

Misbranding of the article was alleged in the libel for the reason that the statement borne on the label, to wit, "24 Lbs. When Packed," was false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On October 23, 1925, the Model Mills, Lexington, N. C., having appeared as claimant for the property and having admitted the allegations of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$200, conditioned in part that the sacks be filled to the declared amount, and that it not be offered for sale or sold without having been so refilled and the words "When Packed" obliterated from the label.

W. M. JARDINE, *Secretary of Agriculture.*

14592. Adulteration and misbranding of malted milk. U. S. v. 16 Barrels of Malted Milk. Consent decree of condemnation and forfeiture. Product released under bond for use as hog feed. (F. & D. No. 20047. I. S. No. 24554-v. S. No. C-4719.)

On April 25, 1925, the United States attorney for the District of Indiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 16 barrels of malted milk, remaining in the original unbroken packages at Logansport, Ind., alleging that the article had been shipped by the Western Feed Manufacturers, Chicago, Ill., August 22, 1924, and transported from the State of Illinois into the State of Indiana, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Malted Milk From Western Feed Manufacturers, Inc. * * * Chi-

cago," (stencilled on top of barrel) "Vitamalt Food Products Co. Maltolac * * * Durand, Ill."

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed and putrid substance.

Misbranding was alleged in that the designation "Maltolac" was false and misleading and deceived and misled the purchaser.

On August 31, 1925, F. H. Musselman, Logansport, Ind., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$150, conditioned in part that it be used for hog feed.

W. M. JARDINE, *Secretary of Agriculture.*

14593. Adulteration of coal-tar color. U. S. v. 1 Five-Pound Can of Coal-Tar Color. Default decree of destruction entered. (F. & D. No. 14694. I. S. No. 14879-t. S. No. C-2900.)

On April 3, 1921, the United States attorney for the Eastern District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 1 five-pound can of coal-tar color, remaining in the original can at Chattanooga, Tenn., consigned by the W. B. Wood Mfg. Co., St. Louis, Mo., alleging that the article had been shipped from St. Louis, Mo., on or about March 4, 1921, and transported from the State of Missouri into the State of Tennessee, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "W. B. Wood Mfg. Co. St. Louis, Mo. Warranted Complies with all requirements, Number 810, Contents Yellow."

Adulteration of the article was alleged in the libel for the reason that sodium chloride and sodium sulphate had been mixed and packed therewith and substituted in part, if not in whole, for the said article. Adulteration was alleged for the further reason that the article contained an added poisonous and deleterious ingredient, to wit, arsenic, which might have rendered it injurious to health.

On January 6, 1926, no claimant having appeared for the property, judgment was entered, ordering that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

14594. Adulteration and misbranding of orange sirup. U. S. v. 6 One-Gallon Bottles of Orange Sirup. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 20097. I. S. No. 24521-v. S. No. E-5318.)

On June 4, 1925, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 6 one-gallon bottles of orange sirup, at New Milford, N. J., alleging that the article had been shipped by the Rex Extract Co., New York, N. Y., on or about May 1, 1925, and transported from the State of New York into the State of New Jersey, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Orange-Misti True Fruit Flavoring Preparation Made From Pure Fruit Oils. Harmless Color Added * * * Rex Extract Company * * * Brooklyn New York."

Adulteration of the article was alleged in the libel for the reason that a substance, an aqueous solution of gum, had been mixed and packed therewith so as to reduce, lower and injuriously affect its quality and strength and had been substituted in part for the said article. Adulteration was alleged for the further reason that the article had been mixed and colored in a manner whereby its inferiority was concealed.

Misbranding was alleged for the reason that the statements, borne on the label, "Orange Misti * * * Pure Fruit Oils * * * Directions For Orangeade Strength Purity Highly Concentrated Flavorings True Fruit Flavoring Preparation," were false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the article was an imitation of and offered for sale under the distinctive name of another article.

On June 24, 1926, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

14595. Adulteration and misbranding of jellies. U. S. v. 25 Cases of Jelly. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 16696. S. No. C-3702.)

On August 2, 1922, the United States attorney for the Eastern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 25 cases of jellies, remaining in the original unbroken packages at East St. Louis, Ill., consigned by the Best-Clymer Mfg. Co., St. Louis, Mo., alleging that the article had been shipped from St. Louis, Mo., on or about June 20, 1922, and transported from the State of Missouri into the State of Illinois, and charging adulteration and misbranding in violation of the food and drugs act.

Adulteration of the articles was alleged in the libel for the reason that apple products had been mixed and packed with and substituted wholly or in part for plum, raspberry, grape, strawberry or blackberry jelly, as the case might be. Adulteration was alleged for the further reason that the articles were colored in a manner whereby inferiority was concealed.

Misbranding was alleged for the reason that the statements, "Jelly" and "Apple-Blackberry," "Apple Strawberry," "Apple-Grape," "Apple-Raspberry" and "Apple-Plum," as the case might be, borne on the respective labels, were false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the articles were imitations of and offered for sale under the distinctive names of other articles.

At the May, 1926, term of court, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the products be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

14596. Misbranding of crackers and cakes. U. S. v. 20 Dozen Barrels of Ginger Snaps, et al. Consent decree of condemnation and forfeiture. Products released under bond. (F. & D. No. 20568. I. S. Nos. 605-x, 606-x, 607-x, 608-x. S. No. W-1808.)

On November 6, 1925, the United States attorney for the District of Arizona, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 55 dozen barrels of mixed crackers and cakes, at Phoenix, Ariz., alleging that the articles had been shipped by the Loose-Wiles Biscuit Co., from Kansas City, Mo., on or about October 22, 1925, and transported from the State of Missouri into the State of Arizona, and charging misbranding in violation of the food and drugs act as amended. The articles were labeled, variously: "King Dodo Ginger Snaps Loose-Wiles Biscuit Company Net Weight 1½ Lbs.," "Chocolate Snaps * * * Net Weight 1 Lb. 4 Oz.," "Vanilla Snaps Net Weight 1 Lb. 8 Ozs.," "Lemon Snaps Net Weight 1 Lb. 8 Ozs."

Misbranding of the articles was alleged in the libel for the reason that the statements, "Net Weight 1½ Lbs.," "Net Weight 1 Lb. 4 Oz.," or "Net Weight 1 Lb. 8 Ozs.," as the case might be, borne on the labels, were false and misleading and deceived and misled the purchaser, in that the true net weight of the contents of each of said barrels was less than stated on the label. Misbranding was alleged for the further reason that the product was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package, since the quantity stated was not correct.

On March 18, 1926, the Loose-Wiles Biscuit Co. having appeared as claimant for the property and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the products be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$100, conditioned in part that the said products not be sold or disposed of in violation of law.

W. M. JARDINE, *Secretary of Agriculture.*

14597. Misbranding of tankage. U. S. v. 60 Sacks of Tankage. Product released under bond to be reconditioned. (F. & D. No. 20891. I. S. No. 1678-x. S. No. C-4976.)

On February 23, 1926, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 60 sacks of tankage, at Butler, Mo., alleging that the article had been shipped by the Armour Fertilizer Co., Kansas City, Kans., on or about

January 2, 1926, and transported from the State of Kansas into the State of Missouri, and charging misbranding in violation of the food and drugs act. The article was labeled in part: "Armours Meat Meal Meat Residue Tankage Analysis Protein 60 Per Cent Made by Armour & Co., Kansas City, Kans."

Misbranding of the article was alleged in the libel for the reason that the statement, "Analysis Protein 60 Per Cent," borne on the label, was false and misleading and deceived and misled the purchaser.

On March 11, 1926, the Armour Fertilizer Co., Kansas City, Kans., claimant, having admitted the allegations of the libel and having filed bond in the sum of \$500, a decree was entered, ordering that the claimant be permitted to transfer the product to Kansas City, Kans., for the purpose of reconditioning, and that after inspection by a representative of this department and payment of costs it might be released.

W. M. JARDINE, *Secretary of Agriculture.*

14598. Adulteration and misbranding of canned oysters and canned shrimp. U. S. v. 10 Cases of Oysters, et al. Decrees finding products adulterated and misbranded and ordering their release under bond. (F. & D. Nos. 17742, 17744. I. S. No. 6915-v. S. No. C-4099.)

On August 25, 1923, the United States attorney for the Western District of Texas, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 30 cases of oysters and 5 cases of shrimp, remaining in the original unbroken packages in part at Hillsboro, Tex., and in part at San Marcos, Tex., alleging that the articles had been shipped by the Sea Food Co., from Biloxi, Miss., on or about April 7, 1923, and transported from the State of Mississippi into the State of Texas, and charging adulteration and misbranding in violation of the food and drugs act as amended. The articles were labeled, variously: "Winner Brand Oysters Net Contents 4 Ounces," "Seafocco Brand Cove Oysters Contents 5 Ozs. Oysters," "Darling Brand Dry Pack Shrimp. Contents 5 Ozs. Shrimp."

Adulteration of the articles was alleged in the libels for the reason that excessive brine had been mixed and packed therewith so as to reduce and lower their strength, and injuriously affect their quality.

Misbranding was alleged in substance for the reason that the statements on the labels of the cans containing the respective products, "Net Contents 4 Ounces," "Contents 5 Ozs. Oysters," and "Contents 5 Ozs. Shrimp," as the case might be, were false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the articles were in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the cases.

On November 16, 1923, the Sea Food Co., Biloxi, Miss., claimant, having admitted the allegations of the libels and having consented to the entry of decrees, judgments were entered, finding the products adulterated and misbranded, and it was ordered by the court that they be released to the said claimant upon payment of the costs of the proceedings and the execution of bonds in the sum of \$100 each, in conformity with section 10 of the act.

W. M. JARDINE, *Secretary of Agriculture.*

14599. Misbranding of cottonseed meal. U. S. v. Planters Oil Co. Plea of nolo contendere. Fine, \$100. (F. & D. No. 16855. I. S. Nos. 9483-t, 15629-t.)

On December 6, 1924, the United States attorney for the Southern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Planters Oil Co., a corporation, Albany, Ga., alleging shipment by said company in violation of the food and drugs act, on or about December 22, 1921, from the State of Georgia into the State of New York, and on or about January 21, 1922, from the State of Georgia into the State of Florida, of quantities of cottonseed meal which was misbranded. A portion of the article was labeled in part: (Tag) "Cotton Seed Meal Manufactured By Planters Oil Co. Albany, Georgia Guaranteed Analysis Ammonia (Actual and potential) 7.00 per cent (Equivalent to Protein 36.00 per cent)." The remainder of the said article was labeled in part: (Tag) "Guaranteed Analysis Protein (minimum) 36.00% * * * Crude Fibre (maximum) 14.00%."

Misbranding of the article was alleged in the information for the reason that the statements, "Guaranteed Analysis Ammonia (Actual and potential) 7.00

per cent (Equivalent to Protein 36.00 per cent),” with respect to a portion of the product, and “Guaranteed Analysis Protein (minimum) 36.00% * * * Crude Fibre (maximum) 14.00%,” with respect to the remainder, were false and misleading, in that the respective statements represented that the former contained 7 per cent of ammonia, equivalent to 36 per cent of protein, and that the latter contained not less than 36 per cent of protein and not more than 14 per cent of crude fiber, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it contained the said proportions of ammonia, protein and fiber, as the case might be, whereas the former contained approximately 6.79 per cent of ammonia, equivalent to 34.88 per cent of protein, and the latter contained 34.83 per cent of protein and approximately 15.11 per cent of crude fiber.

On June 24, 1925, a plea of nolo contendere to the information was entered on behalf of the defendant company, and the court imposed a fine of \$100.

W. M. JARDINE, *Secretary of Agriculture.*

14600. Adulteration and misbranding of colocynth pulp. U. S. v. 24 Bales of Colocynth Pulp. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21152. I. S. No. 8141-x. S. No. E-5793.)

On June 28, 1926, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 24 bales of colocynth pulp, remaining unsold at Weehawken, N. J., alleging that the article had been shipped by S. B. Penick & Co., from New York, N. Y., on or about March 20, 1926, and transported from the State of New York into the State of New Jersey, and charging adulteration and misbranding in violation of the food and drugs act.

Analysis by the Bureau of Chemistry of this department of a sample of the article showed that it contained 20 per cent of seed.

Adulteration of the article was alleged in the libel for the reason that it was sold under a name recognized in the United States Pharmacopoeia but differed from the standard of strength, quality or purity as determined by the test laid down in the said pharmacopoeia and its own standard of strength, quality or purity was not stated on its container.

Misbranding was alleged in that the article was offered for sale under the name of another article.

On August 13, 1926, S. B. Penick & Co., a corporation organized under the laws of North Carolina, having appeared as claimant for the property and having admitted the allegations of the libel and consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$500, conditioned in part that it be cleaned, sorted and otherwise reconditioned under the supervision of this department.

W. M. JARDINE, *Secretary of Agriculture.*

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United States Department of Agriculture

SERVICE AND REGULATORY ANNOUNCEMENTS

BUREAU OF CHEMISTRY

SUPPLEMENT

N. J. 14601-14650

[Approved by the Secretary of Agriculture, Washington, D. C., January 28, 1927]

NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT

[Given pursuant to section 4 of the food and drugs act]

14601. Misbranding of lemon paste. U. S. v. 36 Cases of Lemon Paste. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21007. I. S. No. 8376-x. S. No. E-3271.)

On or about April 12, 1926, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 36 cases, each containing 6 five-pound tins, of lemon paste, remaining unsold at Linden, N. J., alleging that the article had been shipped by the W. J. Bush Citrus Products Co., San Diego, Calif., on or about January 23, 1926, and transported from the State of California into the State of New Jersey and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: (Case) "6 5-lb. Tins," (tin) "Confectioners' Lemon Paste 5 Pounds."

Misbranding of the article was alleged in the libel for the reason that the statements in the labeling, "6 5-lb. Tins," and "5 Pounds," were false and misleading and deceived and misled the purchaser, and for the further reason that it was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On August 17, 1926, W. J. Bush & Co., Inc., New York, N. Y., having appeared as claimant for the property and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$150, conditioned in part that the cans be relabeled under the supervision of this department, "Net Weight 4½ Pounds."

W. M. JARDINE, *Secretary of Agriculture.*

14602. Alleged adulteration of canned stringless beans. U. S. v. 52 Cases of Stringless Beans. Tried to the court and a jury. Verdict for claimant. (F. & D. No. 20655. I. S. No. 3883-x. S. No. C-4880.)

On November 30, 1925, the United States attorney for the Western District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 52 cases of canned stringless beans, remaining in the original unbroken packages at San Antonio, Tex., alleging that the article had been shipped by the Valley Canning Co., from Springdale, Ark., on or about September 11, 1925, and transported from the State of Arkansas into the State of Texas, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (Can) "Valley Brand Stringless Beans,
* * * Packed By Valley Canning Company, Hindsville, Ark."

It was alleged in the libel that the article was adulterated, in that it consisted in whole or in part of a filthy, decomposed or putrid vegetable substance.

On May 6, 1926, Ed F. Melcher, San Antonio, Tex., and the Valley Canning Co., Hindsville, Ark., having appeared as claimants for the property, the case came on for trial before the court and a jury. After the submission of evidence, arguments by counsel and instructions from the court, the jury retired and after due deliberation returned a verdict for the claimants. Judgment was thereupon entered, finding the product not adulterated and ordering that it be returned to the claimants.

W. M. JARDINE, *Secretary of Agriculture.*

14603. Misbranding of cottonseed feed. U. S. v. 100 Sacks of Cottonseed Feed. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 20664. I. S. No. 6609-x. S. No. E-5584.)

On or about December 4, 1925, the United States attorney for the Southern District of Florida, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 100 sacks of cottonseed feed, remaining in the original unbroken packages at Jacksonville, Fla., alleging that the article had been shipped by R. H. Neal & Co., from Americus, Ga., on or about September 12, 1925, and transported from the State of Georgia into the State of Florida, and charging misbranding in violation of the food and drugs act. The article was labeled in part: "100 Lbs. Net Triangle Brand Cotton Seed Feed * * * Manufactured for R. N. Neal & Company, Memphis, Tennessee. Guaranteed Analysis Protein 36.00%."

Misbranding of the article was alleged in the libel for the reason that the statement "Guaranteed Analysis Protein 36.00%," borne on the label, was false and misleading and deceived and misled the purchaser.

On February 17, 1926, the Americus Oil Co., Americus, Ga., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$260, in conformity with section 10 of the act.

W. M. JARDINE, *Secretary of Agriculture.*

14604. Adulteration and misbranding of cottonseed meal. U. S. v. 300 Sacks of Cottonseed Meal. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 20784. I. S. No. 6663-x. S. No. E-5615.)

On or about February 12, 1926, the United States attorney for the Southern District of Florida, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 300 sacks of cottonseed meal, remaining in the original unbroken packages at Jacksonville, Fla., alleging that the article had been shipped by the Americus Oil Co., from Americus, Ga., on or about January 1, 1926, and transported from the State of Georgia into the State of Florida, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Cotton Seed Meal Ashcraft-Wilkinson Co. Atlanta, Ga. Paramount Brand Ammonia 7.00%."

Adulteration of the article was alleged in the libel for the reason that a substance deficient in ammonia had been mixed and packed therewith so as to reduce, lower or injuriously affect its quality and strength and had been substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the statement "Ammonia 7.00% Cotton Seed Meal," borne on the label, was false and misleading and deceived and misled the purchaser, and for the further reason that it was offered for sale under the distinctive name of another article.

On February 19, 1926, the Americus Oil Co., Americus, Ga., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the cost of the proceedings and the execution of a bond in the sum of \$260, in conformity with section 10 of the act.

W. M. JARDINE, *Secretary of Agriculture.*

14605. Adulteration and misbranding of butter. U. S. v. 73 Cases of Creamery Butter. Product ordered released under bond. (F. & D. No. 20346. I. S. No. 6487-x. S. No. E-5463.)

On or about August 7, 1925, the United States attorney for the Southern District of Florida, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 73 cases of butter, remaining in the original unbroken packages at Jacksonville, Fla., alleging that the article had been shipped by the Marshall County Cooperative Creamery, from Lewisburg, Tenn., July 28, 1925, and transported from the State of Tennessee into the State of Florida, and charging adulteration and misbranding in violation of the food and drugs act as amended. The article was labeled in part: (Carton) "One Pound Fancy Creamery Butter."

Adulteration of the article was alleged in the libel for the reason that a product which contained less than 80 per cent by weight of milk fat had been substituted for butter, a product which should contain not less than 80 per cent by weight of milk fat as prescribed by the act of March 4, 1923.

Misbranding was alleged for the reason that the statements, to wit, "Butter * * * One Pound," borne on the label, were false and misleading, in that the said statements represented that the article consisted wholly of butter, to wit, a product which should contain not less than 80 per cent by weight of milk fat as prescribed by law, whereas it contained less than 80 per cent by weight of milk fat. Misbranding was alleged for the further reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On September 8, 1925, the Marshall County Cooperative Creamery Assoc., Lewisburg, Tenn., having appeared as claimant for the property and having admitted the allegations of the libel, a decree was entered, ordering that the product be released to the said claimant upon the execution of a bond in the sum of \$1,600, conditioned in part that it be reworked so that it meet the requirements of the law, and relabeled to show the correct weight.

W. M. JARDINE, *Secretary of Agriculture.*

14606. Misbranding of butter. U. S. v. 20 Cases of Butter. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21084. I. S. No. 7491-x. S. No. E-5716.)

On or about April 21, 1926, the United States attorney for the Southern District of Florida, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 20 cases of butter, at Jacksonville, Fla., alleging that the article had been shipped by the Dodge County Creamery, from Eastman, Ga., April 15, 1926, and transported from the State of Georgia into the State of Florida, and charging misbranding in violation of the food and drugs act. The article was labeled in part: (Carton) "Sweet Clover Creamery Butter One Pound."

Misbranding of the article was alleged in the libel for the reason that the net weight statement "One Pound" was not correct, and for the further reason that the said statement was false and misleading, since the product had a net weight of less than 1 pound.

On May 3, 1926, the Dodge County Creamery Co., Eastman, Ga., having appeared as claimant for the property and having admitted the allegations of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon the execution of a bond in the sum of \$528, conditioned in part that it be reworked to bring the contents up to the declared amount, or relabeled to show the actual contents.

W. M. JARDINE, *Secretary of Agriculture.*

14607 Adulteration of shell eggs. U. S. v. 6 Cases of Eggs. Default decree of condemnation, forfeiture and destruction. (F. & D. No. 21159. I. S. No. 8224-x. S. No. E-5789.)

On June 18, 1926, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 6 cases of eggs, remaining unsold in the original cases at New York, N. Y., alleging that the article had been shipped by the Deneen Produce Co., from Emmetsburg, Iowa, on or about May 21, 1926, and trans-

ported from the State of Iowa into the State of New York, and charging adulteration in violation of the food and drugs act.

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of decomposed eggs.

On September 13, 1926, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

14608. Adulteration of tomato puree. U. S. v. 600 Cases of Tomato Puree. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 20946. I. S. No. 1284-x. S. No. C-4974.)

On March 16, 1926, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 600 cases of tomato puree, remaining in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped by the Frankton Ideal Canning Co., from Frankton, Ind., January 30, 1926, and transported from the State of Indiana into the State of Illinois, and charging adulteration in violation of the food and drugs act.

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a filthy, decomposed and putrid vegetable substance.

On September 13, 1926, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

14609. Misbranding of butter. U. S. v. 70 Cases of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21296. I. S. No. 12001-x. S. No. C-5227.)

On August 9, 1926, the United States attorney for the Northern District of Alabama, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 70 cases, each containing 30 pounds, of butter, at Birmingham, Ala., alleging that the article had been shipped by the Mississippi A. & M. College Cooperative Creamery, A. & M. College, Miss., on or about August 4, 1926, and transported from the State of Mississippi into the State of Alabama, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: (Carton) "One Pound Net Pure Creamery Butter Manufactured By Mississippi A. & M. College Co-operative Creamery Agricultural College, Mississippi."

Misbranding of the article was alleged in the libel for the reason that the statement "One Pound Net Weight," borne on the label, was false and misleading and deceived and misled the purchaser, and for the further reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package, since the quantity stated was not correct.

On August 12, 1926, the Donovan Provision Co., Inc., Birmingham, Ala., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, conditioned in part that it not be released for sale or other disposition until a representative of this department had examined and approved it as complying with the law.

W. M. JARDINE, *Secretary of Agriculture.*

14610. Misbranding of butter. U. S. v. 17 Cases of Spring Valley Creamery Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21292. I. S. No. 12007-x. S. No. C-5228.)

On August 12, 1926, the United States attorney for the Northern District of Alabama, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 17 cases, containing 510 pounds, of butter, remaining in the original unbroken packages at Birmingham, Ala., alleging that the article had been shipped by the Marshall County Cooperative Creamery Assoc., Lewisburg, Tenn., on or about August 10, 1926, and transported from the State of Tennessee

into the State of Alabama, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: (Retail package) "Spring Valley Creamery Butter Marshall County Coop Creamery Lewisburg, Tenn. One Pound Net Weight When Packed."

Misbranding of the article was alleged in substance in the libel for the reason that the statement "One Pound Net Weight," borne on the label, was false and misleading and deceived and misled the purchaser, in that the packages contained less than 1 pound of butter. Misbranding was alleged for the further reason that the article was food in package form and the net weight and volume of the contents of the said package was not plainly and correctly stated thereon.

On August 16, 1926, the Magnus Grocery Co., Inc., Birmingham, Ala., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, conditioned in part that it be repacked, and that it not be sold or otherwise disposed of until examined and approved by a representative of this department.

W. M. JARDINE, *Secretary of Agriculture.*

14611. Adulteration of pears. U. S. v. 504 Baskets of Pears. Decree ordering product released under bond entered by consent. (F. & D. No. 21259. I. S. Nos. 12601-x, 12602-x. S. No. C-3037.)

On August 21, 1926, the United States attorney for the District of Nebraska, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 504 baskets of pears, at Omaha, Nebr., alleging that the article had been shipped by the Grand Junction Fruit Growers Assoc., from Clifton, Colo., on or about August 16, 1926, and transported from the State of Colorado into the State of Nebraska, and charging adulteration in violation of the food and drugs act.

Adulteration of the article was alleged in the libel for the reason that it contained an added poisonous ingredient which might have rendered it injurious to health, to wit, arsenic.

On August 24, 1926, the Grand Junction Fruit Growers Assoc., Clifton, Colo., having admitted the allegations of the libel and having consented that judgment of condemnation and forfeiture be entered, a decree was entered, finding the product adulterated, and it was ordered by the court that the said product be released to the claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$500, conditioned in part that it be salvaged and the adulterated pears destroyed, and that after inspection by a representative of this department the unadulterated portion be released without conditions.

W. M. JARDINE, *Secretary of Agriculture.*

14612. Adulteration of pears. U. S. v. 480 Baskets of Pears. Decree ordering product released under bond entered by consent. (F. & D. No. 21248. I. S. Nos. 821-x, 822-x. S. No. C-3034.)

On August 21, 1926, the United States attorney for the District of Nebraska, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 480 baskets of pears, at Milford, Nebr., alleging that the article had been shipped by Charles F. Schoening, from Fruitvale, Colo., on or about August 13, 1926, and transported from the State of Colorado into the State of Nebraska, and charging adulteration in violation of the food and drugs act.

Adulteration of the article was alleged in the libel for the reason that it contained an added poisonous ingredient which might have rendered it injurious to health, to wit, arsenic.

On August 26, 1926, Frank M. Powers, Omaha, Nebr., claimant, having admitted the allegations of the libel and having consented that judgment of condemnation and forfeiture be entered, a decree was entered, finding the product adulterated, and it was ordered by the court that the said product be released to the claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$500, conditioned in part that it be salvaged and the adulterated portion destroyed, and that after inspection by a representative of this department the unadulterated portion be released without conditions.

W. M. JARDINE, *Secretary of Agriculture.*

14613. Adulteration of tomato catsup. U. S. v. 10 Cases of Tomato Catsup. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 20954. I. S. No. 1696-x. S. No. C-5051.)

On March 19, 1926, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 10 cases of tomato catsup, remaining in the original unbroken packages at Kansas City, Mo., alleging that the article had been shipped by Geo. Van Camp & Sons Co., from East St. Louis, Ill., on or about December 30, 1925, and transported from the State of Illinois into the State of Missouri, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "George Van Camp's Tomato Catsup * * * Geo. Van Camp & Sons Co. Westfield, Ind."

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed or putrid vegetable substance.

On September 11, 1926, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

14614. Adulteration and misbranding of butter. U. S. v. 22 Cases of Butter. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21085. I. S. No. 7492-x. S. No. E-5717.)

On or about April 22, 1926, the United States attorney for the Southern District of Florida, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 22 cases of butter, remaining in the original unbroken packages at Jacksonville, Fla., alleging that the article had been shipped by the Valdosta Creamery, from Valdosta, Ga., on or about April 16, 1926, and transported from the State of Georgia into the State of Florida, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Sweet Clover Creamery Butter One Pound."

Adulteration of the article was alleged in the libel for the reason that a product deficient in milk fat and containing an excessive amount of moisture had been substituted for butter, which the said article purported to be, and for the further reason that a product which contained less than 80 per cent by weight of milk fat had been substituted for butter, a product which should contain not less than 80 per cent by weight of milk fat as prescribed by the act of March 4, 1923.

Misbranding was alleged for the reason that the statement "Butter," borne on the packages containing the article, was false and misleading, in that the said statement represented that the article consisted wholly of butter, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it consisted wholly of butter, whereas it did not so consist but did consist of a product deficient in milk fat and containing excessive moisture. Misbranding was alleged for the further reason that the statement "Butter," borne on the label, was false and misleading, in that it represented that the article was butter, to wit, a product which should contain not less than 80 per cent by weight of milk fat as prescribed by law, whereas it was a product which contained less than 80 per cent by weight of milk fat.

On April 27, 1926, T. J. Fenn, Valdosta, Ga., having appeared as claimant for the property and having admitted the allegations of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon the execution of a bond in the sum of \$511.70, conditioned in part that it be reworked so that it would contain all necessary ingredients.

W. M. JARDINE, *Secretary of Agriculture.*

14615. Misbranding of butter. U. S. v. 15 Cases, et al., of Butter. Product ordered released under bond. (F. & D. Nos. 20612, 20613. I. S. Nos. 570-x, 575-x. S. Nos. W-1805, W-1807.)

On October 27 and 30, 1925, respectively, the United States attorney for the District of Arizona, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 30 cases, each containing 30 cartons, of butter, at Phoenix, Ariz., alleging that the article had been shipped by the San Juan Creamery Co., from Durango, Colo., in part on or about October 22, 1925, and in part

on or about October 26, 1925, and that it had been transported from the State of Colorado into the State of Arizona and charging misbranding in violation of the food and drugs act as amended.

Misbranding of the article was alleged in the libels for the reason that the statement "One Pound Net Weight," borne on the cartons, was false and misleading and deceived and misled the purchaser, and for the further reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package, since the quantity stated was not correct, the true weight of the contents of each of the said cartons being less than 1 pound.

On November 28, 1925, the San Juan Creamery Co., Durango, Colo., having appeared as claimant for the property and having admitted the material allegations of the libels, decrees of the court were entered, ordering that the product be released to the said claimant upon payment of the costs of the proceedings and the deposit of cash bond in the amount of \$200, conditioned that the butter not be sold or disposed of contrary to law.

W. M. JARDINE, *Secretary of Agriculture.*

14616. Adulteration and misbranding of tomato sauce. U. S. v. 17 Cases of Tomato Sauce. Consent decree of condemnation, forfeiture, and destruction. Product released under bond. (F. & D. No. 19475. I. S. No. 3738-v. S. No. E-5101.)

On or about January 15, 1925, the United States attorney for the Southern District of Florida, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 17 cases of tomato sauce, remaining in the original unbroken packages at Tampa, Fla., alleging that the article had been shipped by the Greco Canning Co., Inc., from San Francisco, Calif., on or about October 11, 1924, and transported from the State of California into the State of Florida, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: (Can) "De-Luxe Brand Concentrated Tomato Sauce Packed By Greco Canning Co., San Jose * * * Cal."

Adulteration of the article was alleged in the libel for the reason that a substance, an artificially colored tomato paste or sauce, had been substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the statement "Tomato Sauce," borne on the label, was false and misleading and deceived and misled the purchaser when applied to a tomato sauce containing artificial color not declared on the label.

On March 13, 1925, Harmon & Hulsey, Tampa, Fla., claimants, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimants upon payment of the costs of the proceedings and the execution of a bond in the sum of \$500, in conformity with section 10 of the act.

W. M. JARDINE, *Secretary of Agriculture.*

14617. Misbranding of Mecca compound. U. S. v. 12 Dozen Packages, et al., of Mecca Compound. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 20871, 20873, 20874, 20875. I. S. Nos. 1682-x to 1690-x, incl. S. Nos. C-4962, C-4963, C-4964, C-4975.)

On February 18 and 20, 1926, respectively, the United States attorney for the Western District of Missouri, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels and thereafter amended libels praying seizure and condemnation of 2 dozen 13-ounce packages, 4½ dozen 6-ounce packages and 22½ dozen 2-ounce packages, of Mecca compound, remaining unsold in the original unbroken packages at Kansas City, Mo., alleging that the article had been shipped by the Foster-Dack Co., Chicago, Ill., between the dates of November 3, 1925, and February 8, 1926, and that it had been transported from the State of Illinois into the State of Missouri, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: (Box label) "Healing * * * for all kinds of Sores and inflammation giving quick relief and aiding nature to make speedy cures * * * For * * * Barber's itch, Eczema, Erysipelas, Hives, Salt Rheum. * * * Blood Poison, Boils, Diphtheritic Sore Throat, Pneumonia and all kinds of inflammation," (carton) "Healing," (circular) "Directions for Using Mecca Compound. * * * For Burned and Scalded surfaces, apply the Mecca * * * the immediate result will be

cessation of pain and inflammation and no further blistering. Minor burns heal quickly and serious burns heal in a few weeks, free from scars and blemishes. No scars from burns ever appear where Mecca is properly used. For Frosted or Frozen parts, apply the same as to a burned surface, applying, when possible, before the frost is withdrawn, for if so applied restoration will follow immediately * * * For all kinds of hurts. Its use prevents soreness and inflammation and hastens a cure. In serious cases such as * * * Felons, Boils and Carbuncles apply by poulticing * * * Nothing equals Mecca for relieving Pain and for removing soreness. Any sore, recent or of long standing, may be cured by its use, practically applied. For Erysipelas, Gangrene, Scarlet Fever, Chicken Pox, Small Pox and All Eruptive Diseases. For Erysipelas and Gangrene, poultice freely all the parts affected and if the case be severe let the poultice be applied fully half inch thick, but if mild, less will do. For Scarlet Fever, apply to all the eruptive parts by rubbing, and poultice the throat freely until relieved from the soreness. For Chicken Pox, apply the compound freely to all the irritated parts, with moderate rubbing. In Small Pox apply, both by rubbing and poulticing. Rub the patient with the Compound where there are aches and pains, and poultice freely where there is much soreness. It prevents all Itching, and Pitting, reduces the fever, strengthens the patient, and hastens recovery. For Sore Throat, Lung Trouble, Inflammation of the Bowels, Appendicitis, and Rheumatism. For Sore Throat apply * * * thickly over the front of the throat * * * For Lung trouble, Pneumonia, soreness of the chest and lungs, apply * * * by poultice * * * if the case be severe * * * if mild apply once or twice a day by rubbing * * * For Inflammation of the bowels, and Appendicitis, spread a thick poultice * * * apply over the seat of pain. It is best to keep the poultice on for some time after relief is obtained. For Rheumatism and sundry pains, apply by rubbing, if severe, by poulticing. Its continued use, even in most stubborn cases, will result in a cure * * *," (testimonials) "I * * * have seen many men badly burned * * * nothing I ever saw or heard of compares with the wonderful work of Mecca Compound, so quickly and so fully does it relieve the sufferer from all pain and so quickly does nature restore under its use. * * * X-ray Burn Cured. I suffered many months from an X-Ray burn * * * It developed into a running sore, which the doctors were unable to heal * * * Mecca Compound * * * relieved the pain and soreness and made a complete cure. * * * when burned with the electric current. In no instance have we found it to fail in giving immediate relief," (circular, Mecca compound ointment) "If every home * * * would keep * * * Mecca Compound ready for immediate application in * * * Severe Burns and Scalds, bad Bruises, Blood Poison, Fevers and all kinds of inflammation, many lives would be saved and a vast amount of suffering avoided. Applied * * * to a burned or scalded surface, pain ceases, blistering is prevented and inflammation is held in check while nature soon restores * * * We firmly believe, if a burned or scalded patient lives two days under common treatment and then expires, that had Mecca Compound been immediately applied, in nearly every case, life would have been saved. We advise the head of every family to at once provide for its safety * * * has saved lives and much suffering * * * A wise man will provide in time. Insure Protection for your Family by providing means of escape should a severe accident occur, such as is of daily occurrence. The clippings below * * * illustrate constant danger and the need of immediate efficient aid. We firmly believe had Mecca Compound been immediately applied in sufficient quantity all of those, here mentioned, would have been saved. Note well the case of Mr. Mead of Council Bluffs, Iowa, how prompt application saved his life. Duty neglected brings remorse but can not restore life. A Mr. Mead of Council Bluffs, Iowa, was terribly burned by an explosion of gasoline. In less than ten minutes one third of his body had blistered while the whole body, except the head and feet, seemed ready to break forth * * * had a good supply of Mecca Compound * * * covering him half an inch thick. * * * in five weeks he was back in his shop, without a scar or blemish. In this case 30 minutes' delay meant death in a few hours. * * * Clippings from The Chicago Daily Tribune * * * died * * * of scalds * * * died of burns."

Analysis by the Bureau of Chemistry of this department of a sample of the article showed that it consisted essentially of a mixture of fat, petrolatum, zinc oxide (1.2 per cent), and a trace of phenol.

It was alleged in the libels that the article was misbranded, in that the above quoted statements regarding its curative and therapeutic effects were false and fraudulent, since the said article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On June 21, 1926, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

14618. Misbranding of Dr. Bull's cough sirup. U. S. v. 20 Dozen Bottles, et al., of Dr. Bull's Cough Sirup. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 20900. I. S. No. 2201-x. S. No. C-5041.)

On March 1, 1926, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel and on April 27, 1926, an amended libel praying seizure and condemnation of 23 dozen bottles of Dr. Bull's cough sirup, remaining in the original unbroken packages at Cincinnati, Ohio, alleging that the article had been shipped by A. C. Meyer & Co., from Baltimore, Md., on or about February 2, 1926, and transported from the State of Maryland into the State of Ohio, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: (Bottle) "If the cough is severe * * * For Bronchitis * * * Asthmatic cough * * * Croup * * * If attack is severe, give * * * until the disease subsides," (carton, English) "Hoarseness, Bronchitis, Grippe Cough, croup, Whooping Cough and Measles Cough * * * to relieve cough of asthmatic and consumptive patients in incipient or advanced stages of their disease," (carton, German) "For * * * throat and chest colds, hoarseness, inflammation of the bronchial tubes, quinsy, grippe coughs, whooping cough, measles cough, and also for the alleviation of coughs of asthmatic and consumptive persons in the beginning or more advanced stage of their disease," (carton, French) "For * * * Cold in the head, hoarseness, bronchitis, quinsy, croup, influenza, whooping cough and for alleviation in the early stages of phthisis, asthma, even after the disease has already caused great ravages," (carton, Spanish) "For * * * hoarseness, bronchitis, angina, croup, grippe cough, whooping cough and to alleviate the coughs of persons who suffer with asthma or phthisis in the beginning or advanced states of their disease," (pink circular) "Tell Your Coughing Friends to send for sample * * * Do you hear another coughing hard; or, complaining of hoarseness and sore throat? Is one troubled with a bronchitis or grippe cough; or, required to take a cough medicine to quiet the cough, and facilitate expectoration of mucus, in the case of some throat or lung affection? Do you know a mother whose children have croup, whooping cough, or measles cough? * * * tell them of the benefits to be had from this celebrated remedy," (green circular) "effectual in most cases, but for severe conditions the additional treatment mentioned, is advised. * * * A cough or cold should be promptly treated. It is often the beginning of serious throat or lung affections and, if neglected, can develop into consumption. * * * Take Dr. Bull's Cough Syrup * * * If the cough is troublesome, take it * * * until relieved. * * * Croup; simple.—A mother can best treat this affection of early childhood, if she has a bottle of Dr. Bull's Cough Syrup. Give the dose * * * every hour until the breathing becomes easier; * * * In distressing cases give the dose every half hour. Besides, lay hot poultices or hot moist flannels * * * or rub with Salvation Oil * * * Larrabee's Liniment * * * until the affection subsides. Whooping-Cough and Measles' Cough * * * When relief is shown * * * until cough stops. Bronchitis.—The cough attending an attack of this stubborn affection will generally yield to treatment with Dr. Bull's Cough Syrup if persevered in. * * * For a very troublesome cough, take dose every half hour. For Hoarseness, Sore Throat, Loss of Voice, etc., * * * Grippe, Influenza, Cold in the Head.—For the distressing, deep-seated and threatening cough generally following these affections * * * neglect of such coughs may contribute to the development of pleurisy or pneumonia, take promptly regular doses of the Syrup * * * For Asthmatic Cough, take half doses of Dr. Bull's Cough Syrup every hour and after each paroxysm. This will generally relieve recent cases; and, advanced cases may also be much benefited. * * * Cough attending Consumption, incipient or advanced.—

Whether it is the occasional paroxysm of coughing, or the persistent, deep-seated and aggravating cough which a sufferer seeks to quiet; or, whether it is the expectoration of mucus that he desires to facilitate, Dr. Bull's Cough Syrup is recommended to be taken for the purpose, confident that it will prove perceptibly helpful in that direction * * * for treatment of * * * Croup, Whooping-Cough, Measles' Cough, Hoarseness, Bronchitis, Grippe-Cough, Sore Throat, Loss of Voice, Hacking Coughs; and also to relieve Cough of Asthmatic and Consumptive Patients in the various stages of the disease. * * * a remedy which, for rapidity and certainty in relieving coughs, colds and kindred throat, bronchial and chest affections, has probably never been surpassed. * * * related throat, bronchial and chest affections. When it is remembered that life is saved more frequently by the timely prevention of the encroachments of disease than by combating disease when established, the propriety of using Dr. Bull's Cough Syrup promptly for colds and coughs is assuredly unquestionable and of supreme importance; especially in view of the insidious approach of consumption—that merciless enemy of human life. * * * For whooping-cough and simple croup it is invaluable. Mothers can always depend on it. * * * In many cases a few doses will give relief * * * efficacious in some more-aggravated cases of throat, bronchial and chest affections. * * * for patients in advanced stages of pulmonary disease," (testimonials) "an attack of the grippe * * * a severe cough * * * A few doses cured the cough perfectly * * * a very bad cough * * * the same good effect * * * it was good for croup * * * a medicine for croup * * * a bad cough * * * a severe cough * * * whooping-cough * * * a sore throat * * * for * * * croup, bronchitis and whooping cough * * * one of those hard spasms * * * a very bad cold and cough * * * After two bottles she was entirely cured * * * for bronchitis * * * a bronchitis or asthmatic cough * * * in very severe coughs and colds * * * a serious hacking cough * * * a very bad cold and was forever sneezing and coughing," (booklet) "Hoarseness, Bronchitis, Grippe Cough, Croup, Whooping Cough and Measles Cough; also to relieve cough of asthmatic and consumptive patients in incipient or advanced stages of their disease * * * the catarrhal cold moves to the chest; hoarseness and soreness increase; and the loose or dry racking cough develops. Use, in time, the most worthy of all cough remedies, Dr. Bull's Cough Syrup Quick relief; soothing of congested bronchial tubes and lungs; control of cough; and, finally, no cough will be the reward. It is the true cough-and-cold doctor."

Analysis by the Bureau of Chemistry of this department of a sample of the article showed that it consisted essentially of ammonium chloride, extracts of plant drugs including ipecac, sugar, alcohol, water, and flavoring material.

Misbranding of the article was alleged in the libel for the reason that the bottles and cartons containing the article, and the circulars and booklet contained in the cartons bore statements as above set forth, regarding the curative and therapeutic effects of the said article, which were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed.

On September 9, 1926, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

14619. Adulteration and misbranding of lemon extract. U. S. v. 10 Dozen Bottles of Lemon Extract. Default decree of condemnation, forfeiture and destruction. (F. & D. No. 15324. I. S. No. 189-t. S. No. C-3162.)

On August 16, 1921, the United States attorney for the Eastern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 10 dozen bottles of lemon extract, remaining in the original unbroken packages at St. Peter, Ill., consigned by the Kane Remedy Co., St. Louis, Mo., alleging that the article had been shipped from St. Louis, Mo., on or about June 10, 1921, and transported from the State of Missouri into the State of Illinois, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: (Bottle) "The Kane 4 Ozs. Terpeneless Lemon Extract Distributed by Kane Extract Company, St. Louis, Mo."

Adulteration of the article was alleged in the libel for the reason that diluted terpeneless lemon extract had been mixed and packed with and substituted wholly or in part for the said article. Adulteration was alleged for the further reason that the article was mixed in a manner whereby damage or inferiority was concealed.

Misbranding was alleged for the reason that the statement on the label, "Terpeneless Lemon Extract," was false and misleading and deceived and misled purchasers. Misbranding was alleged for the further reason that the article was an imitation of and offered for sale under the distinctive name of another article.

At the May, 1926, term of court, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

14620. Adulteration and misbranding of canned oysters. U. S. v. 11 Cases of Canned Oysters. Default decree of condemnation, forfeiture and destruction. (F. & D. No 16675. I. S. No. 6402-v. S. No. C-3738.)

On July 29, 1922, the United States attorney for the Eastern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 11 cases of canned oysters, remaining in the original unbroken packages at Centralia, Ill., consigned by the Hilton Head Packing Co., Savannah, Ga., alleging that the article had been shipped from Savannah, Ga., on or about June 23, 1922, and transported from the State of Georgia into the State of Illinois, and charging adulteration and misbranding in violation of the food and drugs act as amended. The article was labeled in part: (Can) "Hilton Head Brand Contains 5 Oz. Oyster Meat Oysters Packed By Hilton Head Packing Co. Savannah, Ga."

Adulteration of the article was alleged in the libel for the reason that excessive brine had been mixed and packed therewith so as to reduce, lower and injuriously affect its quality and had been substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the statement on the label "Contains 5 Oz. Oyster Meat," was false and misleading and deceived and misled the purchaser, because said cans contained less than 5 ounces of the article. Misbranding was alleged for the further reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked thereon.

On or about September 11, 1926, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

14621. Adulteration of canned salmon. U. S. v. 10 Cases of Salmon. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 21144. I. S. No. 4631-x. S. No. C-5179.)

On June 19, 1926, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 10 cases of salmon, remaining in the original unbroken packages at Mexico, Mo., alleging that the article had been shipped by P. E. Harris & Co., Seattle, Wash., on or about September 18, 1925, and transported from the State of Washington into the State of Missouri, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Double 'Q' Select Pink Salmon * * * Distributed By P. E. Harris & Co., Seattle, Wash."

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed or putrid animal substance.

On September 9, 1926, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

14622. Adulteration and misbranding of Laxa raisins. U. S. v. 240 Cartons of Laxa Raisins. Default decree of condemnation, forfeiture and destruction. (F. & D. No. 21066. I. S. No. 4393-x. S. No. C-5093.)

On May 11, 1926, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 240 cartons of Laxa raisins, remaining in the original unbroken packages at St. Louis, Mo., alleging that the article had been shipped by the Laxa Raisin Co., Cincinnati, Ohio, on or about April 10, 1926, and transported from the State of Ohio into the State of Missouri, and charging adulteration and misbranding in violation of the food and drugs act as amended.

Analysis by the Bureau of Chemistry of this department of a sample of the article showed that it consisted of seedless raisins with added phenolphthalein (4 grains per package) and extract of a laxative plant drug.

Adulteration of the article was alleged in the libel for the reason that it contained added deleterious ingredients which might have rendered it injurious to health.

Misbranding was alleged for the reason that the statements "Laxa Raisins" and "Complies with Pure Food Laws," and cut of a hand holding a bunch of raisins, borne on the carton containing the article, were false and misleading. Misbranding was alleged for the further reason that the following statements regarding the curative and therapeutic effects of the said article were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed: "Laxa Raisins * * * Scientifically Processed To Increase The Laxative Effect Of The Natural Fruit * * * The Natural Fruit Laxative," (retail carton) "Laxa Raisins * * * raisins with the laxative elements scientifically increased without altering the * * * wholesomeness of the fruit. A delightful and never-failing corrective for constipation with attending headaches and discomforts * * * diminishing doses * * * as needed will keep the bowels in perfect condition * * * a pleasant and effective intestinal regulator for children and adults Laxa Raisins For adults and children * * * The Natural Fruit Laxative."

On September 9, 1926, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

14623. Adulteration and misbranding of canned salmon. U. S. v. 1,000 Cases of Canned Salmon. Decree entered, ordering product destroyed. (F. & D. No. 15618. I. S. No. 1023-t. S. No. C-3322.)

On November 16, 1921, the United States attorney for the Middle District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 1,000 cases of canned salmon, remaining in the original unbroken packages at Nashville, Tenn., alleging that the article had been shipped in interstate commerce by W. R. Beatty Co., Vancouver, B. C., Canada, on or about October 4, 1921, and that it had been transported from the Dominion of Canada into the State of Tennessee, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: (Case) "Pink Salmon Packed By Kenai Packing Co. Drier Bay, Alaska," (can) "Kay-Square Brand Select Pink Salmon * * * Keen-Eye Inspection Fresh Fish Clean Canneries Inspected."

Adulteration of the article was alleged in the libel for the reason that it consisted wholly or in part of a filthy, decomposed and putrid animal substance.

Misbranding was alleged for the reason that the statements "Keen-Eye Inspection Fresh Fish Inspected," borne on the label, were false and misleading and deceived and misled the purchaser.

On March 2, 1926, C. B. Ragland & Co., Nashville, Tenn., having appeared as claimant for the property and having agreed that it was unfit for human consumption, judgment was entered, ordering that it be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

14624. Alleged adulteration of tomato paste. U. S. v. 188 Cases of Tomato Paste. Consent decree, adjudging product misbranded and ordering its release under bond. (F. & D. No. 20441. I. S. No. 2405-x. S. No. C-4821.)

On September 17, 1925, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in

the District Court of the United States for said district a libel praying seizure and condemnation of 188 cases of tomato paste, remaining in the original unbroken packages at Kansas City, Mo., alleging that the article had been shipped by the La Sierra Heights Canning Co., from Arlington, Calif., on or about August 8, 1925, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Liberta Tomato Paste * * * Packed By La Sierra Heights Canning Co. Arlington Cal."

It was alleged in the libel that the article was adulterated, in that a substance, an artificially colored tomato paste, had been mixed and packed therewith so as to reduce, lower and injuriously affect its quality and strength and had been substituted wholly or in part for the said article.

On December 8, 1925, the Kansas City Macaroni & Importing Co., claimant, having admitted the allegations of the libel and having consented that judgment of condemnation and forfeiture be entered, a decree was entered, adjudging the product misbranded and ordering that it be released to the claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, conditioned in part that it be salvaged under the supervision of this department.

W. M. JARDINE, *Secretary of Agriculture.*

14625. Misbranding of cottonseed cake. U. S. v. 500 Sacks of Cottonseed Cake. Consent decree, adjudging product misbranded and ordering its release under bond. (F. & D. No. 20761. I. S. No. 3803-x. S. No. C-4924.)

On January 13, 1926, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 500 sacks of cottonseed cake, remaining in the original unbroken packages at Westbridge, Mo., alleging that the article had been shipped by the Planters Cottonseed Products Co., from Dallas, Tex., on or about December 21, 1925, and transported from the State of Texas into the State of Missouri, and charging misbranding in violation of the food and drugs act. The article was labeled in part: "43% Protein Cottonseed Cake Prime Quality Manufactured by Planters Cottonseed Products Company Dallas, Texas Guaranteed Analysis: Crude Protein not less than 43.00 Per Cent."

Misbranding of the article was alleged in the libel for the reason that the statements, "43% Protein" and "Guaranteed Analysis: Crude Protein not less than 43.00 Per Cent," borne on the labels, were false and misleading and deceived and misled the purchaser.

On May 24, 1926, the Southern Cotton Oil Co., Kansas City, Mo., claimant, having admitted the allegations of the libel and having consented that judgment of condemnation and forfeiture be entered, a decree was entered, adjudging the product misbranded and ordering that it be released to the claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, conditioned in part that it be salvaged and relabeled under the supervision of this department.

W. M. JARDINE, *Secretary of Agriculture.*

14626. Adulteration of canned salmon. U. S. v. 23 Cases of Canned Salmon. Decree of condemnation, forfeiture and destruction. (F. & D. No. 21052. I. S. No. 3284-x. S. No. C-5089.)

On or about May 3, 1926, the United States attorney for the District of South Dakota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 23 cases of canned salmon, remaining in the original unbroken packages at Sioux Falls, S. Dak., alleging that the article had been shipped by P. E. Harris & Co., Seattle, Wash., on or about November 3, 1925, and transported from the State of Washington into the State of South Dakota, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (Can) "Double "Q" Select Pink Salmon Distributed By P. E. Harris & Co. Seattle, Wash., 8 Oz. Net."

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed or putrid animal substance.

On July 29, 1926, P. E. Harris & Co., Seattle, Wash., having appeared and consented to the condemnation and destruction of the product, judgment was entered, finding the product adulterated and ordering that it be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

14627. Adulteration of preserves. U. S. v. 72 Cases of Apple and Strawberry Preserves, et al. Default decree of condemnation, forfeiture and destruction. (F. & D. No. 17598. I. S. No. 5419-v. S. No. C-4055.)

On November 9, 1923, the United States attorney for the District of South Dakota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 72 cases of apple and strawberry preserves, and 53 cases of apple and raspberry preserves, remaining in the original unbroken packages at Sioux Falls, S. Dak., alleging that the articles had been shipped by the D. B. Scully Syrup Co., Chicago, Ill., on or about June 15, 1920, and transported from the State of Illinois into the State of South Dakota, and charging adulteration in violation of the food and drugs act. The articles were labeled in part: (Jar) "55% Sugar 30% Apple 15% Fruit Apple And Strawberry" (or "Raspberry") "Preserves Packed For Andrew Kuehn Co. Sioux Falls, S. D."

It was alleged in the libel that the articles were adulterated, in that products containing added pectin, acidified with tartaric acid and deficient in fruit, had been substituted wholly or in part for the said articles, and had been mixed and packed therewith so as to reduce, lower and injuriously affect their quality and strength.

On July 21, 1926, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

14628. Misbranding of Ambrozoin tablets, and Syrup of Ambrozoin. U. S. v. 4 Dozen Bottles of Syrup of Ambrozoin and 22 Bottles of Ambrozoin Tablets. Default decrees of condemnation, forfeiture and destruction. (F. & D. Nos. 20494, 20495. I. S. Nos. 786-x, 787-x. S. Nos. W-1797, W-1798.)

On October 10, 1925, the United States attorney for the Northern District of California, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 4 dozen bottles of Syrup of Ambrozoin and 22 bottles of Ambrozoin tablets, remaining in the original unbroken packages at San Francisco, Calif., alleging that the articles had been shipped by the American Apothecaries Co., from Astoria, N. Y., between the dates of February 14 and August 6, 1925, and transported from the State of New York into the State of California, and charging misbranding in violation of the food and drugs act as amended.

Analysis by the Bureau of Chemistry of this department of a sample of the Syrup of Ambrozoin showed that it consisted essentially of ammonium chloride, sodium bromide, glycerin, sugar, alcohol, and water, with traces of terpin hydrate, an alkaloid, a phenolic compound, and menthol. Analysis of a sample of the Ambrozoin tablets showed that the product contained ammonium chloride, licorice extract, a calcium compound, traces of terpin hydrate, an iodide, and was sweetened with saccharin and colored pink.

Misbranding of the articles was alleged in the libels for the reason that the following statements regarding their curative and therapeutic effects were false and fraudulent, since the said articles contained no ingredients or combinations of ingredients capable of producing the effects claimed: (Syrup of Ambrozoin, bottle label) "Bronchitis Laryngitis Asthma Whooping Cough Pulmonary Phthisis And Other Respiratory Affections In Which A Mild Sedative Or Expectorant Is Required * * * Allays Cough, Promotes Expectoration Exerts A Soothing Influence On The Inflamed Mucous Membrane Of The Bronchial And Pulmonary Passages And Relieves Congestion Of The Respiratory Organs * * * Dose * * * repeated * * * until cough is allayed and respiratory discomfort is overcome, (carton label) "Bronchitis Laryngitis Asthma Whooping Cough Pulmonary Phthisis * * * And Other Respiratory Affections In Which A Mild Sedative Or Expectorant Is Required * * * Allays Cough Promotes Expectoration * * * Exerts A Soothing Influence On The Inflamed Mucous Membrane Of The Respiratory Passages," (Ambrozoin tablets, bottle label) "Demulcent Sedative * * * Bronchitis, Laryngitis, Pharyngitis, Whooping Cough, Asthma, Tuberculosis and other respiratory affections * * * Dose * * * every hour until relief is obtained."

On September 2, 1926, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the products be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

14629. Adulteration and misbranding of butter. U. S. v. 10 Cases of Butter. Default decree of condemnation, forfeiture and sale. (F. & D. No. 21230. I. S. No. 7548-x. S. No. E-5778.)

On July 15, 1926, the United States attorney for the Northern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 10 cases, each containing 30 pounds, of butter, remaining in the original unbroken packages at Atlanta, Ga., alleging that the article had been shipped by the Union Springs Creamery, from Union Springs, Ala., on or about July 9, 1926, and transported from the State of Alabama into the State of Georgia, and charging adulteration and misbranding in violation of the food and drugs act as amended. The article was labeled in part: "Creamery Butter * * * One Pound Net When Packed."

Adulteration of the article was alleged in the libel for the reason that a substance other than butter and deficient in milk fat had been substituted in part for butter, and in that the said product contained less than 80 per cent by weight of milk fat.

Misbranding was alleged in substance for the reason that the statement borne on the label of the carton containing the article was false and misleading and deceived and misled the purchaser into the belief that each of the cartons contained 1 pound of butter, whereas the said product was deficient in milk fat, and the cartons did not each contain 1 pound of butter.

On September 3, 1926, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be sold by the United States marshal in conformity with the Federal food and drugs act.

W. M. JARDINE, *Secretary of Agriculture.*

14630. Adulteration and misbranding of canned tomatoes. U. S. v. 765 Cases and 78 Cases of Tomatoes. Decrees of condemnation entered. Portion of product destroyed. Remainder released under bond. (F. & D. Nos. 20219 to 20227, incl., 20232. I. S. No. 24789-v. S. Nos. C-3023, C-3023-a.)

On or about July 13, 1925, the United States attorney for the Western District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 843 cases of canned tomatoes, remaining in the original unbroken packages at San Antonio, Tex., alleging that the article had been shipped by the Theobald-Berger Co., from Los Angeles, Calif., in part on or about December 30, 1924, and in part on or about January 31, 1925, and transported from the State of California into the State of Texas, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: (Case) "Sugarland Brand Tomatoes with Puree, Packed for George W. Wilson Company, Inc. San Antonio, Texas," (can) "Sugarland Brand Tomatoes Highest Quality."

It was alleged in the libels that the article was adulterated, in that tomatoes with puree from trimmings had been mixed and packed with the said article so as to reduce, lower or injuriously affect its quality and strength and had been substituted wholly or in part for the article.

Misbranding was alleged in substance for the reason that the statement "Sugarland Brand Tomatoes Highest Quality," borne on the labels was false and misleading and deceived and misled the purchaser, in that the said tomatoes were not of the highest quality.

On October 9, 1925, the George Wilson Co., San Antonio, Tex., having appeared as claimant for a portion of the product, and having admitted the allegations of the libel, except the allegation as to adulteration, a decree was entered, adjudging the said portion misbranded and ordering its condemnation, and it was further ordered by the court that the said portion be released to the claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$300, conditioned in part that it not be sold or otherwise disposed of in violation of law. On January 5, 1926, no claimant having appeared for the remaining 11 cases of the product, judgment

of condemnation was entered, and it was ordered by the court that the said 11 cases be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

14631. Adulteration and misbranding of evaporated apples. U. S. v. Harry H. Williams (A. B. Williams Fruit Co.). Plea of guilty. Fine, \$100. (F. & D. No. 19745. I. S. Nos. 13858-v, 13859-v, 14230-v, 15622-v, 17260-v, 18692-v, 18693-v, 18694-v, 18695-v, 18696-v, 18697-v, 22235-v, 22237-v, 22553-v, 22554-v.)

On May 24, 1926, the United States attorney for the Western District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Harry H. Williams, trading as the A. B. Williams Fruit Co., Sodus, N. Y., alleging shipment by said defendant, in violation of the food and drugs act, in various consignments between the approximate dates of November 14, 1924, and February 20, 1925, from the State of New York into the States of Minnesota, Virginia, Massachusetts, Maine, Pennsylvania, and Vermont, respectively, of quantities of evaporated apples which were adulterated and misbranded. The article was labeled in part: "Dixie Brand" (or "Hills Of Wayne Brand," "Wedding Bells," "Queen Quality" or "Puritan Brand") "Evaporated Apples" * * * A. B. Williams Fruit Co. Sodus, N. Y."

Adulteration of the article was alleged in the information for the reason that a substance, to wit, water, had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, and in that excessive water had been substituted in part for the said article.

Misbranding was alleged for the reason that the statement, to wit, "Evaporated Apples," borne on the labels was false and misleading, in that the said statement represented that the article consisted wholly of evaporated apples, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it consisted wholly of evaporated apples, whereas it did not so consist but did consist in part of excessive water.

On September 20, 1926, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$100.

W. M. JARDINE, *Secretary of Agriculture.*

14632. Adulteration and misbranding of oysters. U. S. v. Jacob J. Lansburgh (J. J. Lansburgh Co.). Plea of guilty. Fine, \$25 and costs. (F. & D. No. 19787. I. S. Nos. 5604-x, 5605-x, 5606-x, 5607-x.)

On September 24, 1926, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Jacob J. Lansburgh, trading as the J. J. Lansburgh Co., Baltimore, Md., alleging shipment by said defendant, in violation of the food and drugs act as amended, on or about December 8, 1925, from the State of Maryland into the State of Pennsylvania, of quantities of oysters which were adulterated and misbranded. The article was labeled in part: (Can) "Contents 1 Pt. Net" (or "1 Quart Net") "Arrow Brand Oysters Packed By J. J. Lansburgh & Co., Baltimore, Md."

Adulteration of the article was alleged in the information for the reason that a substance, to wit, water, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality and had been substituted in part for oysters, which the said article purported to be. Adulteration was alleged for the further reason that a valuable constituent of the article, to wit, oyster solids, had been in part abstracted.

Misbranding was alleged for the reason that the statements "Oysters," with respect to all the product, and "Contents 1 Pt. Net," with respect to a portion thereof, borne on the labels, were false and misleading, in that the said statements represented that the article consisted wholly of oysters, and that each of the alleged pint cans contained 1 pint thereof, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that the article consisted wholly of oysters and that each of the alleged pint cans contained 1 pint thereof, whereas it did not consist wholly of oysters but did consist in part of water, and each of the alleged pint cans contained less than 1 pint of the said article. Misbranding was alleged with respect to the product contained in the alleged pint cans for the further reason that it was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On October 4, 1926, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25 and costs.

W. M. JARDINE, *Secretary of Agriculture.*

14633. Adulteration and misbranding of cottonseed meal. U. S. v. Atlanta Cotton Oil Co. Plea of guilty. Fine, \$100. (F. & D. No. 19796. I. S. No. 6628-x.)

On September 25, 1926, the United States attorney for the Northern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Atlanta Cotton Oil Co., a corporation, Atlanta, Ga., alleging shipment by said company, in violation of the food and drugs act, on or about October 8, 1925, from the State of Georgia into the State of North Carolina, of a quantity of cottonseed meal which was adulterated and misbranded. The article was labeled in part: "Good Cottonseed Meal Manufactured By Atlanta Cotton Oil Co. Atlanta, Ga. Guaranteed Analysis Ammonia 7.00% Protein 36.00%."

Analysis by the Bureau of Chemistry of this department of a sample of the article from the shipment showed 6.47 per cent ammonia, equivalent to 33.25 per cent protein.

Adulteration of the article was alleged in the information for the reason that a product containing less than 36 per cent of protein and less than 7 per cent of ammonia had been substituted for good cottonseed meal, which the article purported to be.

Misbranding was alleged for the reason that the statements, to wit, "Good Cottonseed Meal Guaranteed Analysis Ammonia 7.00% Protein 36.00%," borne on the tags attached to the sacks containing the article, were false and misleading, in that the said statements represented that the article was good cottonseed meal containing 7 per cent of ammonia and 36 per cent of protein, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was good cottonseed meal containing 7 per cent of ammonia and 36 per cent of protein, whereas it was not as represented but was a cottonseed feed containing less than 7 per cent of ammonia and containing less than 36 per cent of protein. Misbranding was alleged for the further reason that the article was offered for sale under the distinctive name of another article, to wit, cottonseed meal, in that it contained less than 36 per cent of protein.

On October 12, 1926, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$100.

W. M. JARDINE, *Secretary of Agriculture.*

14634. Adulteration and misbranding of butter. U. S. v. 75 Cases, et al., of Butter. Decree of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 21125, 21126, 21140. I. S. Nos. 5496-x, 5497-x, 5498-x, 5535-x, 7701-x to 7706-x, incl. S. Nos. E-5703, E-5704, E-5705.)

On May 29 and June 3 and 9, 1926, respectively, the United States attorney for the District of Massachusetts, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 209 tubs, 75 cases and 133 boxes of butter, remaining in the original unbroken packages in part at Springfield, and in part at Boston, Mass., alleging that the article had been shipped by the Mandan Creamery & Produce Co., Mandan, N. Dak., and transported from the State of North Dakota into the State of Massachusetts, and charging adulteration and misbranding in violation of the food and drugs act as amended.

Adulteration of the article was alleged in the libels for the reason that it was deficient in butterfat.

Misbranding was alleged with respect to 24 tubs of butter for the reason that it was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On July 21, 1926, the Mandan Creamery & Produce Co., Mandan, N. Dak., having appeared as claimant for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$100, conditioned in part that it be reworked so as to contain at least 80 per cent of butterfat, and relabeled to show the true quantity of the contents of the containers.

W. M. JARDINE, *Secretary of Agriculture.*

14635. Misbranding of mill run bran. U. S. v. El Paso Grain & Milling Co. Plea of guilty. Fine, \$25. (F. & D. No. 17924. I. S. No. 7965-v.)

On February 1, 1924, the United States attorney for the Western District of Texas, acting upon a report by the Secretary of Agriculture, filed in the

District Court of the United States for said district an information against the El Paso Grain & Milling Co., a corporation, trading at El Paso, Tex., alleging shipment by said company, in violation of the food and drugs act as amended, on or about August 18, 1922, from the State of Texas into the State of Arizona, of a quantity of mill run bran which was misbranded.

Misbranding of the article was alleged in the information for the reason that it was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On October 14, 1926, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$25.

W. M. JARDINE, *Secretary of Agriculture.*

14636. Misbranding and alleged adulteration of canned oysters. U. S. v. 699 Cases, et al., of Canned Oysters. Decrees of condemnation entered. Product released under bond. F. & D. Nos. 20278, 20281, 20292. I. S. Nos. 2432-x, 2433-x, 2434-x. S. Nos. C-4784, C-4786, C-4791.)

On July 23 and 29, 1925, respectively, the United States attorney for the Western District of Oklahoma, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 1,599 cases of canned oysters, in various lots at Oklahoma City, El Reno, and Clinton, Okla., respectively, consigned by the C. B. Foster Packing Co., Biloxi, Miss., alleging that the article had been shipped from Biloxi, Miss., in various consignments, on or about March 9 and 22 and April 8, 1925, respectively, and transported from the State of Mississippi into the State of Oklahoma, and charging adulteration and misbranding in violation of the food and drugs act as amended. A portion of the article was labeled in part: (Can) "Miss-Lou Brand Oysters Contents 4 Oz. Packed By C. B. Foster Packing Co. Inc. Biloxi, Miss." The remainder of the said article was labeled in part: (Can) "Louis Brand Oysters Contents 4 Oz. Oyster Meat" or White Pony Brand Oysters Contains 4 Oz. Oyster Meat," as the case might be, (case) "Shipped by C. B. Foster Packing Co. from Biloxi, Miss."

It was alleged in the libels that the article was adulterated, in that a substance, excessive brine, had been mixed and packed with and substituted wholly and in part for the said article.

Misbranding was alleged for the reason that the statements, "Contents 4 Oz." or "Contains 4 Oz.," as the case might be, borne on the labels, were false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On September 16 and 17, 1925, respectively, the C. B. Foster Packing Co., Biloxi, Miss., having appeared as claimant for the property and having confessed the libels, judgments were entered, finding the product misbranded and ordering its condemnation and forfeiture, and it was further ordered by the court that the said product be released to the claimant upon payment of the costs of the proceedings and the execution of bonds in the aggregate sum of \$3,000, in conformity with section 10 of the act, conditioned in part that it be relabeled under the supervision of this department.

W. M. JARDINE, *Secretary of Agriculture.*

14637. Adulteration and misbranding of sugar. U. S. v. 116 Bags of Sugar. Decree of condemnation and forfeiture entered. Product released under bond. (F. & D. No. 15385, I. S. No. 9090-t. S. No. E-3581.)

On September 14, 1921, the United States attorney for the Western District of North Carolina, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 116 bags of sugar, at Mt. Airy, N. C., alleging that the article had been shipped by M. Batencourt, from New York, N. Y., May 22, 1920, and transported from the State of New York into the State of North Carolina, and charging adulteration and misbranding in violation of the food and drugs act.

Adulteration of the article was alleged in the libel for the reason that sweepings, water, splinters, strings and various refuse matter had been mixed with and substituted wholly or in part for the said article. Adulteration was alleged for the further reason that the article consisted wholly or in part of filthy vegetable matter and substances unfit for human consumption.

Misbranding was alleged for the reason that the article was an imitation of and offered for sale under the distinctive name of another article, and for the further reason that the article was [food] in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On October 11, 1926, the G. C. Lovell Co., Mt. Airy, N. C., having appeared as claimant for the property, and the court having found that the allegations of the libel had been admitted, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon the execution of a bond in the sum of \$2,000, conditioned in part that it not be disposed of contrary to law.

W. M. JARDINE, *Secretary of Agriculture.*

14638. Adulteration of mineral water. U. S. v. 329 Cases of Mineral Water. Consent decree entered. Water ordered destroyed. Containers released under bond. (F. & D. No. 21166. I. S. Nos. 1732-x, 1733-x. S. Nos. C-5194.)

On or about July 12, 1926, the United States attorney for the Western District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 329 cases of mineral water, at Shreveport, La., alleging that the article had been shipped by the Crazy Well Water Co., from Mineral Wells, Tex., on or about June 25, 1926, and transported from the State of Texas into the State of Louisiana, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Crazy This is a Natural, Saline, Alkaline Mineral Water * * * The Crazy Well Water Company, Mineral Wells, Tex."

Adulteration of the article was alleged in substance in the libel for the reason that it consisted wholly or in part of a filthy, decomposed and putrid substance, in that it contained "B" coli, an organism indicative of the presence of sewage adulteration.

On September 21, 1926, the claimant of the property having consented to its destruction, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the water be poured out and destroyed by the United States marshal. It was further ordered by the court that the bottles be delivered to the said claimant upon the execution of a bond in the sum of \$500, conditioned that they be thoroughly sterilized.

W. M. JARDINE, *Secretary of Agriculture.*

14639. Adulteration and misbranding of ground black pepper. U. S. v. 2½ Barrels and 18 Pails of Ground Black Pepper. Default decree of condemnation, forfeiture and sale or destruction. (F. & D. No. 21133. I. S. Nos. 12234-x, 12235-x. S. No. C-5171.)

On June 16, 1926, the United States attorney for the District of Indiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 2½ barrels and 18 pails of ground black pepper, remaining in the original unbroken packages at Fort Wayne, Ind., alleging that the article had been shipped by the Boston (Biston) Coffee Co., St. Louis, Mo., October 27, 1925, and transported from the State of Missouri into the State of Indiana, and charging adulteration and misbranding in violation of the food and drugs act.

Adulteration of the article was alleged in the libel for the reason that a substance, namely ground rice, had been mixed and packed therewith so as to reduce, lower or injuriously affect its quality and strength and had been substituted wholly or in part for the said article. Adulteration was alleged for the further reason that the article had been mixed in a manner whereby damage or inferiority was concealed.

Misbranding was alleged for the reason that the statement "Ground Black Pepper," borne on the label, was false and misleading and deceived and misled the purchaser.

On September 28, 1926, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product might be sold by the United States marshal after the obliteration of the labels and on the express condition that the purchaser use said property for his own use and not resell the same, and that if not sold it be destroyed by the marshal.

W. M. JARDINE, *Secretary of Agriculture.*

14640. Misbranding of Flam. U. S. v. 20 Dozen Bottles of Flam. Default decree of condemnation, forfeiture and destruction. (F. & D. No. 21167. I. S. No. 1504-x. S. No. C-5192.)

On July 14, 1926, the United States attorney for the Eastern District of Wisconsin, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 20 dozen bottles of Flam, remaining in the original unbroken packages at Milwaukee, Wis., alleging that the article had been shipped by the Flam Co., Chicago, Ill., February 17, 1926, and transported from the State of Illinois into the State of Wisconsin, and charging misbranding in violation of the food and drugs act as amended.

Analysis by the Bureau of Chemistry of this department of a sample of the article showed that it was a flavored sugar sirup containing ammonium chloride and bromide, with small amounts of sodium benzoate and glycerin.

Misbranding of the article was alleged in the libel for the reason that the label bore the following statements, regarding its curative and therapeutic effects, which were false and fraudulent, since the said article contained no ingredient or combination of ingredients capable of producing the effects claimed: (Bottle label and carton) "For Coughs, Colds, Whooping cough, Asthma, Bronchitis, And All Affections of Lungs and Throat."

On October 15, 1926, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

14641. Adulteration of stringless beans. U. S. v. 87 Cases of Stringless Beans. Default decree of forfeiture and destruction entered. (F. & D. No. 20696. I. S. No. 4260-x. S. No. C-4900.)

On December 4, 1925, the United States attorney for the Western District of Oklahoma, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 87 cases of stringless beans, at Woodward, Okla., consigned by the Litteral Canning Co., Fayetteville, Ark., alleging that the article had been shipped from Fayetteville, Ark., on or about September 3, 1925, and transported from the State of Arkansas into the State of Oklahoma, and charging adulteration in violation of the food and drugs act.

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed and putrid vegetable substance.

On July 10, 1926, no claimant having appeared for the property, judgment of forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

14642. Adulteration and alleged misbranding of canned string beans. U. S. v. 161 Cases, et al., of String Beans. Default decrees of condemnation, forfeiture and destruction entered. (F. & D. Nos. 19825, 20683. I. S. Nos. 23047-v, 23048-v, 4248-x. S. Nos. C-4659, C-4882.)

On February 21 and December 1, 1925, respectively, the United States attorney for the Western District of Oklahoma, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 991 cases of string beans, in part at Lawton, Okla., and in part at Enid, Okla., consigned by Appleby Bros., West Fork, Ark., alleging that the article had been shipped from West Fork, Ark., on or about September 11, 1925, and from Fayetteville, Ark., on or about August 6, 1924, and transported from the State of Arkansas into the State of Oklahoma, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: (Can) "Sahara Brand" (or "Zat Zit Brand") "Cut Strmg Beans * * * Packed by Appleby Bros., Fayetteville, Ark." A portion of the Zat Zit brand was inconspicuously rubber stamped "Contents 6 Lbs. 4 Ozs."

It was alleged in the libels that the article was adulterated, in that it consisted in whole or in part of a filthy, decomposed and putrid vegetable substance.

Misbranding was alleged with respect to a portion of the product for the reason that it was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On November 12, 1925, and July 10, 1926, respectively, no claimant having appeared for the property, judgments of the court were entered, finding the product adulterated and ordering its forfeiture and destruction.

W. M. JARDINE, *Secretary of Agriculture.*

14643. Misbranding of tankage. U. S. v. 50 Sacks of Tankage. Decree ordering product released under bond to be reconditioned. (F. & D. No. 20892. I. S. No. 1679-x. S. No. C-4978.)

On February 23, 1926, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 50 sacks of tankage, remaining in the original unbroken sacks at Webb City, Mo., alleging that the article had been shipped by Morris & Co., from Kansas City, Kans., January 2, 1926, and transported from the State of Kansas into the State of Missouri, and charging misbranding in violation of the food and drugs act. The article was labeled in part: "Morris Meat Meal Digester Tankage Big Sixty Analysis Protein 60%."

Misbranding of the article was alleged in the libel for the reason that the statement, "Analysis Protein 60%," borne on the label, was false and misleading and deceived and misled the purchaser, in that the said article was deficient in protein.

During the month of March, 1926, Morris & Co., Kansas City, Kans., having appeared as claimant for the property and having admitted the allegations of the libel and having filed a bond in the sum of \$500, a decree was entered, ordering that the product be released to the said claimant to be transferred to Kansas City, Kans., for the purpose of being reconditioned.

W. M. JARDINE, *Secretary of Agriculture.*

14644. Misbranding of butter. U. S. v. 15 Cases of Butter. Product ordered released under bond. (F. & D. No. 21231. I. S. No. 13478-x. S. No. E-5779.)

On July 24, 1926, the United States attorney for the Eastern District of South Carolina, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 15 cases of creamery butter, remaining in the original unbroken packages at Columbia, S. C., alleging that the article had been shipped by Swift & Co., Nashville, Tenn., July 9, 1926, and transported from the State of Tennessee into the State of South Carolina, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: (Retail package) "Brookfield Creamery Butter 1 Lb. Net Weight Distributed By Swift & Company U. S. A."

Misbranding of the article was alleged in the libel for the reason that the statement "Brookfield Creamery Butter 1 Lb. Net Weight," borne on the label, was false and misleading and deceived and misled the purchaser, in that the said product was short in weight. Misbranding was alleged for the further reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On August 18, 1926, Swift & Co. having appeared as claimant for the property, judgment was entered, ordering the product released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$500, conditioned in part that it be returned to the creamery to be reworked and repacked and so labeled as to show the true weight.

W. M. JARDINE, *Secretary of Agriculture.*

14645. Adulteration of shell eggs. U. S. v. 25 Cases of Eggs. Consent decree, adjudging product adulterated and ordering its release under bond. (F. & D. No. 20209. I. S. No. 6324-v. S. No. C-4770.)

On June 24, 1925, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 25 cases of eggs, remaining in the original unbroken packages at Neosho, Mo., alleging that the article had been shipped by the A. B. C. Produce Co., Siloam Springs, Ark., on or about June 19, 1925, and transported from the State of Arkansas into the State of Missouri, and charging adulteration in violation of the food and drugs act.

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, putrid, decomposed animal substance.

On July 20, 1925, the A. B. C. Produce Co., Siloam Springs, Ark., claimant, having admitted the allegations of the libel and having consented that judgment might be entered for the condemnation and forfeiture of the product, a decree was entered, finding the product adulterated, and it was ordered by the court that the said product be released to the claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, conditioned in part that it be recandled under the supervision of this department.

W. M. JARDINE, *Secretary of Agriculture.*

14646. Adulteration and misbranding of assorted jams. U. S. v. 36 Cases of Assorted Jams. Consent decree of condemnation and forfeiture. Product released upon deposit of collateral. (F. & D. No. 21270. I. S. Nos. 10697-x, 10698-x, 10699-x, 10700-x. S. No. W-2007.)

On August 26, 1926, the United States attorney for the District of Oregon, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 36 cases of assorted jams, remaining in the original unbroken packages at Portland, Oreg., consigned by the Oest Fruit Co., San Francisco, Calif., alleging that the article had been shipped from San Francisco, Calif., on or about June 30, 1926, and transported from the State of California into the State of Oregon, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: (Jar) "Oest's Pure Fruit Jam * * * Oest Fruit Co. San Francisco, Cal."

Adulteration of the article was alleged in the libel for the reason that a substance, apple juice and sugar, had been mixed and packed therewith so as to reduce, lower or injuriously affect its quality and strength, and in that a substance, an insufficiently concentrated product deficient in fruit and containing apple juice and excessive sugar, had been substituted wholly or in part for fruit jam of good commercial value.

Misbranding was alleged for the reason that the statement "Pure Fruit Jam," borne on the label, was false and misleading and deceived and misled the purchaser, and for the further reason that the article was an imitation of and offered for sale under the distinctive name of another article.

On September 13, 1926, the Oest Fruit Co., San Francisco, Calif., having appeared as claimant for the property and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the deposit of a certified check in the sum of \$100, to insure that the product not be sold or otherwise disposed of until relabeled in a manner satisfactory to this department.

W. M. JARDINE, *Secretary of Agriculture.*

14647. Adulteration of shell eggs. U. S. v. Anderson Produce Co. Judgment confessed. Fine, \$10 and costs. (F. & D. No. 17237. I. S. No. 3864-v.)

On April 21, 1923, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Anderson Produce Co., a corporation, Milan, Mo., alleging shipment by said company, in violation of the food and drugs act, on or about August 19, 1922, from the State of Missouri into the State of Illinois, of a quantity of shell eggs which were adulterated.

Examination by the Bureau of Chemistry of this department of 1,440 eggs from 8 half cases showed 378, or 26.25 per cent, inedible eggs.

Adulteration of the article was alleged in the information for the reason that it consisted in part of a filthy and decomposed and putrid animal substance.

On May 1, 1923, the defendant company having confessed judgment, a fine of \$10 and costs was imposed.

W. M. JARDINE, *Secretary of Agriculture.*

14648. Misbranding of feed. U. S. v. 85 Sacks of Corno Stock Feed. Decree of forfeiture entered. Product released under bond. (F. & D. No. 21138. I. S. No. 6537-x. S. No. E-5774.)

On June 19, 1926, the United States attorney for the Western District of North Carolina, acting upon a report by the Secretary of Agriculture, filed in

the District Court of the United States for said district a libel praying seizure and condemnation of 85 sacks of Corno stock feed, at Asheville, N. C., alleging that the article had been shipped by the Corno Mills Co., East St. Louis, Ill., September 28, 1925, and transported from the State of Illinois into the State of North Carolina, and charging misbranding in violation of the food and drugs act.

It was alleged in substance in the libel that the article was misbranded, in that the label bore the statement "Guaranteed Analysis: Protein 10.00 Fat 4.00 Fibre 15.00," which was false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the article was an imitation of and offered for sale under the distinctive name of another article.

On September 1, 1926, the Corno Mills Co., East St. Louis, Ill., having appeared as claimant for the property, judgment of forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$500, conditioned in part that it be reconditioned and relabeled under the supervision of this department.

W. M. JARDINE, *Secretary of Agriculture.*

14649. Adulteration and misbranding of butter. U. S. v. 23 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21291. I. S. No. 7199-x. S. No. E-5855.)

On August 30, 1926, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 23 tubs of butter, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the Deer River Creamery Co., Deer River, Minn., on or about August 16, 1926, and transported from the State of Minnesota into the State of New York, and charging adulteration and misbranding in violation of the food and drugs act.

Adulteration of the article was alleged in the libel for the reason that a substance deficient in butterfat had been mixed and packed therewith so as to reduce or lower or injuriously affect its quality or strength, and had been substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the article was offered for sale under the distinctive name of another article.

On September 20, 1926, Joseph J. Herold, New York, N. Y., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, conditioned in part that it be reworked and reprocessed so as to contain at least 80 per cent of butterfat.

W. M. JARDINE, *Secretary of Agriculture.*

14650. Adulteration of pears. U. S. v. 532 Boxes of Pears. Default order of destruction entered. (F. & D. No. 21236. S. No. C-5206.)

On August 12, 1926, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 532 boxes of pears, at Chicago, Ill., alleging that the article had been shipped by the Suncrest Orchards, from Voorhies, Oreg., July 22, 1926, and transported from the State of Oregon into the State of Illinois, and charging adulteration in violation of the food and drugs act.

Adulteration of the article was alleged in substance in the libel for the reason that it contained an excessive amount of a poisonous substance, to wit, arsenic, which might have rendered it injurious to health.

On August 27, 1926, it having appeared to the court that the product was of a perishable character, was rapidly deteriorating in quality and was in a condition to constitute a nuisance, upon petition of the United States attorney the court ordered the said product destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

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United States Department of Agriculture

SERVICE AND REGULATORY ANNOUNCEMENTS

BUREAU OF CHEMISTRY.

SUPPLEMENT

N. J. 14651-14700

[Approved by the Secretary of Agriculture, Washington, D. C., February 25, 1927]

NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT

[Given pursuant to section 4 of the food and drugs act]

14651. Misbranding of Kopp's. U. S. v. 12 Dozen Bottles, et al., of Kopp's. Default decrees of condemnation, forfeiture, and destruction.
(F. & D. Nos. 20543, 20544. I. S. Nos. 10284-x, 10285-x. S. Nos. C-4846, C-4847.)

On November 2, 1925, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 12 dozen ½-ounce bottles, 90 dozen 1½-ounce bottles, and 21 dozen 4-ounce bottles of Kopp's, at Cleveland, Ohio, alleging that the article had been shipped in interstate commerce by Kopp's Baby's Friend Co., York, Pa., into the State of Ohio, in part on or about May 4, 1925, and in part on or about September 17, 1925, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: (Circular, English) "Teething. This is usually a trying and critical experience in baby's career. The swollen and congested gums are very painful, and if this pain continues it causes extreme nervousness, the child becomes restless and fretful, there is indigestion which causes either diarrhoea or constipation, vomiting, in many cases, high fever and sometimes convulsions. A Teething Baby is a Nervous Baby and is more likely to contract Colds, Diarrhoea, Cholera Infantum, Whooping Cough, and other baby ailments, and is less able to withstand them. In fact, many a case of illness in an infant that in itself could be controlled, when complicated with Teething, becomes a very grave affair. It is therefore very important that teething be made as painless as possible," (circular, French) "During dentition use this remedy regularly morning and evening," (circular, German) "In the coming of the teeth it should be taken regularly morning and evening," (circular, Spanish) "During dentition it should be used regularly night and morning," (circular, Italian) "During dentition it is to be given to the little ones morning and evening regularly," (bottle) "for child 1 week old * * * Dose to be repeated in 2 or 3 hours if necessary to relieve pain," (circular) "Kopp's is manufactured by The Kopp's Baby's Friend Co. Successors to Mrs. J. A. Kopp," (bottle) "Kopp's Alcohol About 8½ Per Cent Sulphate Of Morphine ⅓ Grain Per Ounce, Besides Other Medicinal Ingredients Made By The Kopp's Baby's Friend Co. Successors to Mrs. J. A. Kopp," (carton, front panel) "Kopp's Alcohol About 8½ Per Cent. Sulphate Of Morphine ⅓ Grain Per Ounce Besides Other Medicinal Ingredients The Kopp's Baby's Friend Co. Successors to Mrs. J. A. Kopp," (back panel) "Kopp's The Kopp's Baby's Friend Co. Successors to Mrs. J. A. Kopp," (side panel) "Kopp's Made by The Kopp's Baby's Friend Co. Successors to Mrs. J. A. Kopp."

Analysis by the Bureau of Chemistry of this department of a sample of the article showed that it was composed essentially of morphine sulphate, alcohol, sugar, and water, flavored with traces of essential oils and colored yellow.

Misbranding of the article was alleged in the libels for the reason that the above quoted statements, regarding the curative and therapeutic effects of the article, were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed.

On August 6, 1926, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the property be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

14652. Adulteration of canned blackberries. U. S. v. 200 Cases of Canned Blackberries. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 20901. I. S. No. 1974-x. S. No. C-3030.)

On February 26, 1926, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 200 cases of canned blackberries, at Cleveland, Ohio, alleging that the article had been shipped by the Rahal Brokerage Co., Philadelphia, Pa., on or about January 20, 1926, and transported from the State of Pennsylvania into the State of Ohio, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (Case) "Blackberries Walker Canning Company, Independence, Oregon," (can) "Brookland Solid Pack Blackberries * * * Oregon Growers Cooperative Association General Offices Salem, Oregon Brookland Fruits."

Adulteration of the article was alleged in the libel for the reason that it consisted of a putrid vegetable substance.

On August 6, 1926, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

14653. Adulteration and misbranding of frozen whole eggs. U. S. v. 6 Cans of Frozen Whole Eggs. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 21233. I. S. No. 13666-x. S. No. E-5851.)

On August 13, 1926, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 6 cans of frozen whole eggs, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by Hurst & Majors, from Manhattan, Kans., July 1, 1926, and transported from the State of Kansas into the State of New York, and charging adulteration and misbranding in violation of the food and drugs act as amended.

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a filthy, decomposed and putrid animal substance.

Misbranding was alleged for the reason that the article was in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On September 13, 1926, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

14654. Adulteration of canned frozen whole eggs. U. S. v. 91 Cans of Frozen Whole Eggs. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21226. I. S. No. 13663-x. S. No. E-5850.)

On August 10, 1926, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 91 cans of frozen whole eggs, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the R. W. Winsler Prod. [Produce] Co., Inc., from Moravia, Iowa, on or about July 21, 1926, and transported from the State of Iowa into the State of New York, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (Tag) "Whole Eggs * * * R. W. Winsler, Moravia, Iowa."

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed or putrid animal substance.

On August 27, 1926, the Mesh-Shaff Co., Inc., New York, N. Y., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, conditioned in part that the good portion be separated from the bad portion, and the latter destroyed or denatured.

W. M. JARDINE, *Secretary of Agriculture.*

14655. Adulteration of ice-cream cones. U. S. v. 586,000 Ice-Cream Cones. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21149. I. S. Nos. 2088-x, 2089-x, 2090-x. S. No. C-5176.)

On June 23, 1926, the United States attorney for the Western District of Kentucky, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 586,000 ice cream cones, remaining in the original unbroken packages at Louisville, Ky., alleging that the article had been shipped from Roberts Cone [Mfg.] Co., St. Joseph, Mo., on or about May 26, 1926, and transported from the State of Missouri into the State of Kentucky, and charging adulteration in violation of the food and drugs act. A portion of the article was labeled in part: "Roberts Selfast Cake Cones * * * Manufactured by Roberts Cone Company, St. Louis, Missouri." The remainder of the said article was labeled in part: "Roberts Goodie Cones * * * Packed By Roberts Cone Mfg. Co. St. Joseph, Mo."

Adulteration of the article was alleged in the libel for the reason that a substance, saccharin, had been mixed and packed therewith so as to reduce, lower, or injuriously affect its quality or strength and had been substituted wholly or in part for the said article, and for the further reason that it contained an added poisonous or other added deleterious ingredient, to wit, saccharin, which might have rendered it injurious to health.

On or about September 22, 1926, the Roberts Cone Mfg. Co., St. Joseph, Mo., having appeared as claimant for the property, judgment of condemnation was entered, and it was ordered by the court that the product be released to the said claimant upon the execution of a bond in the sum of \$2,000, conditioned in part that it be prepared for use as hog feed under the supervision of this department.

W. M. JARDINE, *Secretary of Agriculture.*

14656. Misbranding of Tex Bailey's Nu-Life. U. S. v. 3 Dozen Bottles of Tex Bailey's Nu-Life. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 21157. I. S. No. 5297-x. S. No. E-5748.)

On July 2, 1926, the United States attorney for the District of Connecticut, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 3 dozen bottles of Tex Bailey's Nu-Life, remaining in the original unbroken packages at Hartford, Conn., alleging that the article had been delivered for shipment by the Tex Bailey Corp., Troy, N. Y., on or about March 16, 1926, to the State of Connecticut, and charging misbranding in violation of the food and drugs act as amended.

Analysis by the Bureau of Chemistry of this department of a sample of the article showed that it consisted essentially of water, Epsom salt, iron chloride, salicylic acid, saccharin, extracts of plant drugs, including capsicum and senna, and was flavored with volatile oil including sassafras oil.

Misbranding of the article was alleged in the libel for the reason that the following statements regarding its curative and therapeutic effect were false and fraudulent, since the said article contained no ingredient or combination of ingredients capable of producing the effect claimed: (Bottle label) "Nu-Life * * * Remedy * * * for Stomach, Liver, Kidneys And Blood," (carton) "Nu-Life * * * Remedy * * * for the Stomach, Liver, Kidneys And Blood * * * Rheumatism," (form letter in package) "People that take our Nu-Life remedy * * * like to tell their fellowmen what this grand medicine has done for them, so they too can receive the same benefit. * * * the wonderful things that Nu-Life has done and is doing for humanity," (circular) "Nu-Life * * * A * * * Blood Purifier. The Stomach * * * Nu-Life Remedy can be used for stomach troubles. The Intestines * * * Bowels * * * Nu-Life Remedy * * * relieving * * * bowel troubles. The Liver and Kidneys * * * for disease of the Liver and Kid-

neys try Nu-Life. Blood and Skin Diseases Contagious Blood Diseases, whether inherited or contracted, are a most dangerous menace to the health of a person. Not only do they make one unsightly by making their appearance in the form of Eruptions, Pimples, Scald Head or Syphilitic Humors, but they gradually undermine the health, seriously affecting the brain and nervous system. Nu-Life Remedy has helped many who have had blood troubles. Do You Suffer With Rheumatism? Whether the disease be Chronic, Inflammatory or Gonorrhea Rheumatism, there is no remedy like Nu-Life Remedy * * * Have you Dyspepsia? * * * try Nu-Life Remedy. For all disorders of the Stomach, Liver and Bowels; for Indigestion, Dyspepsia, Costiveness, Diarrhea, Intermittent and other Malarial Fevers * * * Did you ever have a kink in your back? Do you find it difficult to bend over? Do you experience excruciating pains in the small of your back when rising from a chair or changing from one position to another? Were the kidneys strong and healthy instead of being weak, this form of backache would be unknown. * * * Dirt Inside The Body Causes Sickness * * * By 'Dirt' we mean any impurity. When your stomach is dirty * * * When the bowels are dirty * * * When the kidneys are dirty * * * When the nasal passages are dirty * * * If the internal ear is dirty * * * In women, when the organs peculiar to them are dirty * * * these things are accompanied by foul smelling odors which indicate more clearly than anything else that some part of the body is dirty. That is, it is unclean. It is clogged up with impurities. It must be rid of these impurities and poisons which we call dirt, before it can get well. Use Nu-Life to get rid of bodily dirt. * * * Nu-Life cleans out impurities * * * has been proven to be able to clean the system and restore it," (Polish) "Rheumatism, grippe * * * Scrofulous eczema, syphilis, erysipelas, indigestion, dyspepsia."

On September 28, 1926, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

14657. Adulteration and misbranding of macaroni. U. S. v. 36 Boxes and 39 Boxes of Bologna Style Macaroni. Default decree of condemnation, forfeiture, and destruction. (F. & D. Nos. 21240, 21241. I. S. Nos. 13418-x, 13424-x. S. Nos. E-5846, E-5847.)

On August 19, 1926, the United States attorney for the District of Connecticut, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 75 boxes of bologna style macaroni, remaining in the original unbroken packages in part at Hartford, Conn., and in part at New Haven, Conn., alleging that on or about the respective dates of May 17 and June 5 and 7, 1926, respectively, the De Martini Macaroni Co., Inc., Brooklyn, N. Y., had delivered the said article for shipment into the State of Connecticut, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Tucco Brand Bologna Style Artificially Colored * * * De Martini Macaroni Company, Inc. * * * Brooklyn, N. Y."

Adulteration of the article was alleged in the libel for the reason that it was colored in a manner whereby inferiority was concealed.

Misbranding was alleged for the reason that the article was an imitation of another article.

On September 28, 1926, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

14658. Adulteration of canned salmon. U. S. v. 324 Cases, et al., of Salmon. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21253. I. S. Nos. 10704-x, 10705-x, 10706-x. S. No. W-2006.)

On August 23, 1926, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 990 cases of salmon, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped by the First Bank of Cordova, from Cordova, Alaska, in part July 16, 1926, and in part July

21, 1926, and transported from the Territory of Alaska into the State of Washington, and charging adulteration in violation of the food and drugs act.

Adulteration of the article was alleged in the libels for the reason that it consisted in whole or in part of a filthy, decomposed, or putrid animal substance.

On September 20, 1926, the Puget Sound Salmon Packing Co., Seattle, Wash., claimant, having admitted the allegations of the libels and having consented to the entry of a decree, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of good and sufficient bonds, in conformity with section 10 of the act, conditioned in part that it be reconditioned under the supervision of this department.

W. M. JARDINE, *Secretary of Agriculture.*

14659. Adulteration and misbranding of noodles. U. S. v. 56 Boxes of Noodles. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 20796. I. S. Nos. 11180-x, 11181-x, 11182-x. S. No. C-4939.)

On January 26, 1926, the United States attorney for the Eastern District of Michigan, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 56 boxes of noodles, remaining in the original unbroken packages at Detroit, Mich., alleging that the article had been shipped by the Chicago Macaroni Co., from Chicago, Ill., December 24, 1925, and transported from the State of Illinois into the State of Michigan, and charging adulteration and misbranding in violation of the food and drugs act as amended. The article was labeled in part: "Selected Durum Wheat Net Weight 20 Pounds Big 3 * * * Manufactured By Chicago Macaroni Co. Chicago, Ill., U. S. A.," and was invoiced as yellow noodles.

Adulteration of the article was alleged in the libel for the reason that a substance containing little or no egg had been mixed and packed therewith so as to reduce, lower or injuriously affect its quality and strength and had been substituted wholly or in part for the said article. Adulteration was alleged for the further reason that the product was colored in a manner whereby inferiority was concealed.

Misbranding was alleged for the reason that the failure to declare the presence of artificial color was deceptive and misleading and would deceive and mislead the purchaser; for the further reason that it was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package, and for the further reason that the article was an imitation of and offered for sale under the distinctive name of another article.

On April 7, 1926, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

14660. Adulteration and misbranding of maple sirup. U. S. v. 19 Tins of Maple Sirup. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 20960. I. S. No. 11186-x. S. No. C-5055.)

On March 23, 1926, the United States attorney for the Eastern District of Michigan, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 19 tins of maple sirup, remaining in the original unbroken packages at Detroit, Mich., alleging that the article had been shipped by the Atlas Fruit Flavoring Co., from Chicago, Ill., February 16, 1926, and transported from the State of Illinois into the State of Michigan, and charging adulteration and misbranding in violation of the food and drugs act as amended. The article was labeled in part: (Tin) "Maple Syrup Purity & Strength Guaranteed By Atlas Fruit Flavoring Co. Chicago, Ill."

Adulteration of the article was alleged in the libel for the reason that a substance, glucose, had been mixed and packed therewith so as to reduce, lower, or injuriously affect its quality and strength, and had been substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the article was an imitation of and offered for sale under the distinctive name of another article, for the further reason that it was labeled "Maple Syrup," which deceived and misled the purchaser, and for the further reason that it was food in package form

and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On April 6, 1926, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

14661. Adulteration of canned salmon. U. S. v. 500 Cases of Salmon. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21279. I. S. No. 10707-x. S. No. W-2008.)

On or about September 2, 1926, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 500 cases of salmon, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped by the Alaska Year Round Canneries, from Seldovia, Alaska, July 26, 1926, and transported from the Territory of Alaska into the State of Washington, and charging adulteration in violation of the food and drugs act.

Adulteration of the article was alleged in the libel for the reason that it consisted wholly or in part of a filthy, decomposed, and putrid animal substance.

On September 24, 1926, the Alaska Year Round Canneries Co., Inc., Seattle, Wash., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$2,000, said bond providing that the product be reconditioned by separating the good portion from the bad.

W. M. JARDINE, *Secretary of Agriculture.*

14662. Adulteration and misbranding of butter. U. S. v. West Coast Grocery Co. Plea of guilty. Fine, \$15 and costs. (F. & D. No. 19695. I. S. No. 23409-v.)

On September 11, 1926, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the West Coast Grocery Co., a corporation, Tacoma, Wash., alleging shipment by said company, in violation of the food and drugs act as amended, on or about May 4, 1925, from the State of Washington into the Territory of Alaska, of a quantity of butter which was adulterated and misbranded. The article was labeled in part: "Creamery Butter This Can Contains Two Pounds Of Bradner's Jersey Creamery Butter."

Adulteration of the article was alleged in the information for the reason that a substance containing less than 80 per cent by weight of milk fat had been substituted for butter, a product which must contain not less than 80 per cent by weight of milk fat as prescribed by the act of March 4, 1923, which the said article purported to be. Adulteration was alleged for the further reason that a valuable constituent of the article, to wit, milk fat, had been in part abstracted.

Misbranding was alleged for the reason that the statements, to wit, "Creamery Butter," and "This Can Contains Two Pounds of Bradner's Jersey Creamery Butter," borne on the tins containing the article, were false and misleading, in that the said statements represented that the article was butter, to wit, a product containing not less than 80 per cent by weight of milk fat as prescribed by law, and that each of said tins contained 2 pounds of butter, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that each of the said tins contained butter, to wit, a product containing not less than 80 per cent by weight of milk fat, and that each of the said tins contained 2 pounds of butter, whereas the said article contained less than 80 per cent of milk fat and each of a number of said tins contained less than 2 pounds of butter. Misbranding was alleged for the further reason that the article was an imitation of and was offered for sale under the distinctive name of another article, and for the further reason that it was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On October 1, 1926, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$15 and costs.

W. M. JARDINE, *Secretary of Agriculture.*

14663. Misbranding of candy. U. S. v. Brown & Haley. Plea of guilty. Fine, \$90 and costs. (F. & D. No. 19767. I. S. Nos. 659-x to 667-x, incl.)

On June 19, 1926, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Brown & Haley, a corporation, Tacoma, Wash., alleging shipment by said company, in violation of the food and drugs act as amended, in various consignments, on or about November 3, 19, and 25, and December 15 and 19, 1925, respectively, from the State of Washington into the State of California, of quantities of candy which was misbranded. The article was labeled, variously: "Oriole Chocolate Peppermint Creams 8 Ounces Net Brown & Haley;" "Oriole * * * Betty Lou Chocolates Brown & Haley Tacoma, Wash. One Pound Net;" "Oriole Medley of Sweets Brown & Haley Tacoma 16 Ozs. Net;" "Oriole Opera Creams 10 Ounces Net Oriole Brown & Haley;" "B and H Criterion Chocolates Brown & Haley Tacoma One Pound Net;" "Oriole Belmont Chocolates * * * Brown & Haley * * * One Pound Net;" "B H Brown & Haley Assorted Chocolates One Pound Choice Pack;" "Oriole Fruit And Nut Creams Caramels And Others Mary Ann Chocolates One Pound Net Brown & Haley;" "Oriole Variety Chocolates * * * Brown & Haley * * * One Pound Net."

Misbranding of the article was alleged in the information for the reason that the statements regarding the quantity of the contents of the packages containing the said article, namely, "8 Ounces Net," "One Pound Net," "16 Ozs. Net," "10 Ounces Net," "One Pound," as the case might be, borne on the labels, were false and misleading, in that the said statements represented that the packages contained the amount of the product declared thereon, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that each of the packages contained the amount declared thereon, whereas each of said packages did not contain the amount represented by the label but did contain a less amount. Misbranding was alleged for the further reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On September 25, 1926, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$90 and costs.

W. M. JARDINE, *Secretary of Agriculture.*

14664. Alleged adulteration of canned salmon. U. S. v. Gorman & Co. Tried to the court and a jury. Verdict of not guilty. (F. & D. No. 19583. I. S. Nos. 20231-v, 20292-v.)

On March 14, 1925, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Gorman & Co., a corporation, Seattle, Wash., alleging shipment by said company, in violation of the food and drugs act, in two consignments, on or about August 15 and September 2, 1924, respectively, from the Territory of Alaska into the State of Washington, of quantities of canned salmon which was alleged to have been adulterated.

Examination by the Bureau of Chemistry of this department of 72 cans from the shipment of August 15 and 96 cans from the shipment of September 2 showed that 37 cans and 15 cans, respectively, contained stale, putrid and tainted fish.

It was alleged in the information that the article was adulterated, in that it consisted in part of a filthy and decomposed and putrid animal substance.

On September 29, 1925, the case came on for trial before the court and a jury. After the submission of evidence and arguments by counsel the court delivered the following instructions to the jury (Neterer, *D. J.*):

"Members of the jury, the information in this case charges that the defendants did ship in interstate commerce articles of food containing filthy, decomposed and putrid animal substance on the 2nd day of September, 1924, and also on the 15th day of August, 1924. On the 15th day of August, 1924, a number of cases were sent, and a number of cans out of these cases contained, it is charged, filthy, decomposed and putrid animal substance. The other shipment was on September 2, 1924, and was made subsequently. The words used in the information simply mean what is ordinarily implied—putrid, tainted, decomposed, or decayed—the process of putrefaction—decay of albuminous or other matter.

"You are instructed that the defendant in this case has pleaded not guilty; therefore denies the charge. The burden is upon the Government to show that it is guilty beyond every reasonable doubt. The defendant is presumed innocent until proven guilty by that degree of proof, and this presumption continues throughout the trial and until you are convinced by the testimony that the defendant is guilty.

"You are instructed that it is against the law to carry any article of food in interstate commerce containing filthy or decomposed, putrid animal or other substance. The intent with which it was sent bears no relation to the shipment, if the intent is undisclosed. If in fact there is a disclosed intent of which the bureau is advised, and that before the article would be considered as human food other tests were to be made and the department so advised, that would take the shipment out of the rule. In this case there are two shipments. One, it is contended, was made as a special consignment of which the bureau was advised, and that it would not be shipped as food or delivered to the trade until further tests had been made of it.

"In this case, as in any criminal case, you are the sole judges of the facts, and you must determine what the facts are from the witnesses who have testified and the circumstances which have been disclosed.

"The first question that you will want to determine is whether the food, or the salmon that was shipped, contained filthy or decomposed, putrid matter in its content. If it did not, then you will return a verdict of not guilty upon both counts. If it did, then you will return a verdict of guilty upon such count upon which you are convinced that there was filthy, decomposed, putrid animal or other substance. In determining whether there was putrid animal or other substance in any of these shipments, of course you will take into consideration the shipment that was made, what was found in the shipment, the disposition of it, the construction placed upon these shipments by the department at the time, with a view of determining whether it did contain the substance which is contended, and you will determine then what is the right. There is evidence here that after the one shipment—I think the shipment in count 2—that a consignment or shipment was made from a part of that consignment to Seattle with the consent of the bureau. The testimony discloses that this was shipped, I think, to some place in Virginia, and after the entire consignment was seized here, this shipment was traced to the ultimate destination and was also seized, and after having been seized samples were submitted to the department at Washington, and this was afterwards released. I think that is a circumstance for you to take into consideration with relation to this shipment in count 2, together with the testimony that has been presented here, and if from all of the testimony you believe that this consignment which was made here, of which the salmon in count 2 in the information was a part, was filthy and contained decomposed, putrid matter and was condemned, beyond a reasonable doubt, then you will return a verdict of guilty upon that count; if you have a reasonable doubt, then you will return a verdict of not guilty. You will likewise do the same with relation to count 1 if you find it did not contain any putrid matter as charged.

"There is this further element to be taken into consideration with relation to count 2, the shipment made on the 2nd of September, in which the defendant contends that the Government was advised that that shipment would not be made as food until it had been submitted to the department. It is not necessary for me to relate to you the circumstances detailed by the witnesses here with relation to that consignment. You will remember that testimony with relation to the fish brought in from the traps and the nets and the amount of fish—I think 600 or 800 putrid fish that had been brought in and thrown by the fishermen with 4,000 or 5,000 trap fish that were lying on the floor—when this was discovered by the department agents they called the attention of the defendants to it. They then picked out some 400 or 500 rotten fish from the balance that was on the floor, but a part of these fish were then in retorts, and the defendants testified that it was then they advised the Government officials that those salmon would be set aside, and if found unfit for human food they would not be used for that purpose; that before they would be applied to that purpose they would bring them to the attention of the department, and then they testified that they laid those cases aside and did not ship them in the general shipment because they did not want to get them mixed up with the other consignment, and brought them down personally, and personally went to the bureau and informed them that this shipment was here. Now what do you think is the fact? Was there a disclosed purpose with relation to that shipment, an

understanding that those cases would be brought to Seattle for further test and approval, and which would excuse them from the direct provision of this law? And if you find that to be the fact, or if the question raises a reasonable doubt in your minds with relation to count 1, then you will return a verdict of not guilty.

"You will weigh the testimony fairly. Neither you nor I have anything to do with the policy of this law. We have to do only with the enforcement, and your sole duty and purpose is to find what the facts are. A maximum and minimum penalty is fixed, to be determined by the presiding judge. You will therefore give the Government a square deal, and give the defendant a square deal. If the defendant has not transgressed the law, then it ought not to be punished; if it has, it should be punished. The question of intent with relation to shipment of the consignment of goods brought down from Alaska with the purpose of labeling here and finally shipping from here would not excuse the defendant if this fish was putrid, unfit for human food, and brought here in interstate commerce. Intent is immaterial and could not excuse the defendant with relation to the filthy or putrid condition of the food. The Government, under such circumstances, could not enforce this law. But when there is a disclosed purpose to the plaintiff, as the defendant contends there was with relation to count 1, then that should have operation in your minds in determining what the fact is here.

"A reasonable doubt is just such a doubt as the term implies, a doubt for which you can give a reason, not a speculative, imaginary or conjectural doubt. It is such a doubt as a man of ordinary prudence, sensibility and decision, in determining an issue of like concern to himself as that before the jury to the defendant, would make him pause or hesitate in arriving at his conclusion. It may be a doubt which is created by the want of evidence, or may be by the evidence itself. A juror is satisfied beyond a reasonable doubt when he is convinced to a moral certainty of the truth of the charge which is made and the guilt of the defendant.

"Are there any exceptions? The verdict is in the usual form. Before the word 'guilty' is a blank, and you will write in there 'is' or 'not,' as you find the fact to be. You may retire."

The case was then placed in the hands of the jury, which on October 1, 1925, returned a verdict of not guilty.

W. M. JARDINE, *Secretary of Agriculture.*

14665. Adulteration of shell eggs. U. S. v. 35 Crates of Eggs. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21328. I. S. No. 7585-x. S. No. E-5868.)

On September 25, 1926, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 35 crates of eggs, remaining unsold in the original crates at New York, N. Y., alleging that the article had been shipped by Davidson, Seay, Adams Co., from Louisville, Ky., on or about August 25, 1926, and transported from the State of Kentucky into the State of New York, and charging adulteration in violation of the food and drugs act.

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of decomposed eggs.

On October 4, 1926, the Davidson, Seay, Adams Co., Louisville, Ky., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant, upon payment of the costs of the proceedings and the execution of a bond in the sum of \$400, conditioned in part that the good eggs be separated from the bad eggs, and the latter destroyed or denatured.

W. M. JARDINE, *Secretary of Agriculture.*

14666. Adulteration of shell eggs. U. S. v. 76 Cases of Eggs. Decree entered, ordering decomposed portion condemned and forfeited and good portion released. (F. & D. No. 21232. I. S. No. 14077-x. S. No. C-5193.)

On July 23, 1926, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and

condemnation of 76 cases of eggs, remaining in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped by the First National Bank (Reynolds, N. Dak.), from Badger, Minn., July 16, 1926, and transported from the State of Minnesota into the State of Illinois, and charging adulteration in violation of the food and drugs act.

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a filthy, decomposed, and putrid animal substance.

On August 2, 1926, Litman & Co., Chicago, Ill., having appeared as claimant for the property, and having filed bond in the sum of \$1,000, to indemnify and guarantee payment by said claimant of all costs, judgment was entered, ordering that the product be candled under the supervision of this department and that the adulterated portion be condemned and forfeited.

W. M. JARDINE, *Secretary of Agriculture.*

14667. Adulteration of chocolate flavor, O-Sipp-O. U. S. v. 47 Cases of Chocolate Flavor, O-Sipp-O. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 21284. I. S. No. 14158-x. S. No. C-5234.)

On September 9, 1926, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 47 cases of chocolate flavor, O-Sipp-O, remaining in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped by the Jameson Boyce Co., from Binghamton, N. Y., February 1, 1926, and transported from the State of New York into the State of Illinois, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (Can) "Chocolate Flavor O-Sipp-O * * * O. J. Gutekunst & Sons Gowanda, N. Y."

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a filthy, decomposed, and putrid vegetable substance.

On September 29, 1926, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

14668. Adulteration of canned sauerkraut. U. S. v. 796 Cases of Sauerkraut. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 21171. I. S. No. 12280-x. S. No. C-5195.)

On July 16, 1926, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 796 cases of canned sauerkraut, remaining in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped by the Brighton Canning Co., from Brighton, Iowa, October 8, 1924, and transported from the State of Iowa into the State of Illinois, and charging adulteration in violation of the food and drugs act.

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed, or putrid vegetable substance.

On October 21, 1926, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

14669. Adulteration of butter. U. S. v. 50 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21160. I. S. No. 14006-x. S. No. C-5177.)

On June 19, 1926, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 50 tubs of butter, remaining in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped by the Rapid River Cooperative Creamery Co., from Gladstone, Mich., June 14, 1926, and transported from the State of Michigan into the State of Illinois, and charging adulteration in violation of the food and drugs act.

Adulteration of the article was alleged in the libel for the reason that a substance, to wit, excessive water, had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, for the further reason that a substance deficient in milk fat and high in moisture had

been substituted wholly or in part for the said article, for the further reason that a valuable constituent of the article, to wit, butterfat, had been in part abstracted, and for the further reason that it contained less than 80 per cent of butterfat.

On August 2, 1926, the Rapid River Cooperative Creamery Co., Gladstone, Mich., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, conditioned in part that it be reprocessed to raise the percentage of butterfat to not less than 80 per cent.

W. M. JARDINE, *Secretary of Agriculture.*

14670. Adulteration and misbranding of black pepper. U. S. v. 17 Cases of Ground Black Pepper. Decree of condemnation, forfeiture, and destruction. (F. & D. No. 21188. I. S. No. 8507-x. S. No. C-5185.)

On July 20, 1926, the United States attorney for the Western District of Kentucky, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 17 cases of ground black pepper, at Louisville, Ky., alleging that the article had been shipped by the Biston Coffee Co., from East St. Louis, Ill., on or about May 14, 1926, and transported from the State of Illinois into the State of Kentucky, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: (Can) "Black Pepper."

Adulteration of the article was alleged in the libel for the reason that a substance, to wit, starch, had been mixed and packed therewith so as to reduce, lower or injuriously affect its quality or strength and had been substituted wholly or in part for the said article.

It was further alleged in the libel that the article was misbranded, in that it was an imitation and was offered for sale under the distinctive name of another article, in that it was labeled so as to deceive or mislead the purchaser, and in that the package containing the said article bore a statement regarding the ingredients or substances contained therein which was false and misleading.

On October 25, 1926, the claimant, Johnston Bros. Co., Louisville, Ky., having consented to the entry of a decree, judgment of condemnation was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

14671. Misbranding of olive oil. U. S. v. 14 Cans of Olive Oil. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 20123. I. S. No. 24550-v. S. No. E-5338.

On June 18, 1925, the United States attorney for the District of Connecticut, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 14 cans of olive oil, remaining in the original unbroken packages at Hartford, Conn., alleging that on or about June 1, 1925, the article had been delivered for shipment into the State of Connecticut, by the Reliable Importing Co., New York, N. Y., and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: "0.98 Of One Gallon Or 7½ Lbs. Net Olio D'Oliu Puro Importato."

Misbranding of the article was alleged in the libel for the reason that the statements borne on the can label, to wit, "0.98 Of One Gallon Or 7½ Lbs. Net," were false and misleading and deceived and misled the purchaser, and for the further reason that it was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package, since the statement made was not correct.

On September 28, 1926, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

14672. Adulteration of canned salmon. U. S. v. 575 Cases of Salmon. Consent decree, finding product adulterated and ordering its release under bond. (F. & D. No. 18259. I. S. No. 7426-v. S. No. C-4260.)

On January 2, 1924, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the

District Court of the United States for said district a libel praying seizure and condemnation of 575 cases of canned salmon, remaining in the original unbroken packages at Clinton, Mo., alleging that the article had been shipped by F. A. Gosse & Co., Seattle, Wash., on or about November 8, 1923, and transported from the State of Washington into the State of Missouri, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (Can) "Pink Rose Brand Choicest Pink Choice Alaska Salmon Pink * * * Distributed By F. A. Gosse & Co. Seattle, * * * Vancouver, Canada."

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid animal substance.

On September 29, 1926, F. A. Gosse & Co., Seattle, Wash., claimant, having admitted the allegations of the libel and having consented to the entry of judgment for the condemnation and forfeiture of the property, a decree was entered, finding the product adulterated, and it was ordered by the court that the said product be released to the claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, conditioned in part that it be salvaged under the supervision of this department.

W. M. JARDINE, *Secretary of Agriculture.*

14673. Adulteration of cherries. U. S. v. 234 Baskets of Cherries. Default order of destruction entered. (F. & D. No. 21207. I. S. No. 6367-x. S. No. E-5841.)

On July 30, 1926, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 234 baskets of cherries, remaining in the original unbroken packages at Philadelphia, Pa., consigned by F. A. Williams, Hector, N. Y., alleging that the article had been shipped from Hector, N. Y., on or about July 27, 1926, and transported from the State of New York into the State of Pennsylvania, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated, in that it contained an added poisonous ingredient which might have rendered it injurious to health.

On August 13, 1926, it having appeared to the court that the product had become so decomposed as to be injurious to the public health, judgment was entered, ordering that it be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

14674. Adulteration and misbranding of cherries. U. S. v. 60 Baskets and 19 Baskets of Cherries. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 21250, 21258. I. S. Nos. 6381-x, 6382-x. S. Nos. E-5799, E-5853.)

On August 20 and 24, 1926, respectively, the United States attorney for the Eastern District of Pennsylvania, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 79 baskets of cherries, remaining in the original unbroken packages at Philadelphia, Pa., consigned by Uri Shumway, Hector, N. Y., alleging that the article had been shipped from Hector, N. Y., in two consignments, on or about August 17 and 18, 1926, respectively, and transported from the State of New York into the State of Pennsylvania, and charging adulteration and misbranding in violation of the food and drugs act as amended.

It was alleged in the libels that the article was adulterated, in that it contained an added poisonous ingredient which rendered it injurious to health.

Misbranding was alleged for the reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On September 29, 1926, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

14675. Adulteration and misbranding of chocolate coating. U. S. v. 400 Pounds of Chocolate Coating. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 21186. I. S. No. 5536-x. S. No. E-5812.)

On July 15, 1926, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 400 pounds of chocolate coating, remaining in the original unbroken packages at Boston, Mass., alleging that the article had been shipped by the Merckens Chocolate Co., Inc., Buffalo, N. Y., and transported from the State of New York into the State of Massachusetts, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Chocolate."

Adulteration of the article was alleged in the libel for the reason that a substance, excessive foreign material including shell, had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength and had been substituted in part for the said article.

Misbranding was alleged for the reason that the statement "Chocolate" was false and misleading and deceived and misled the purchaser, and in that it was offered for sale under the distinctive name of another article.

On September 30, 1926, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

14676. Adulteration and misbranding of canned oysters. U. S. v. Dunbar-Dukate Co. Plea of guilty. Fine, \$150. (F. & D. No. 17621. I. S. Nos. 7744-v, et al.)

On February 20, 1926, the United States attorney for the Southern District of Mississippi, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Dunbar-Dukate Co., a corporation, trading at Biloxi, Miss., alleging shipment by said company, in violation of the food and drugs act as amended, in part on or about March 6, 1922, and in part on or about March 8, 1922, from the State of Mississippi into the State of Washington, of quantities of oysters which were adulterated and misbranded. The article was labeled in part: (Can) "Imperial Brand" (or "Pelican Brand") "Cove Oysters Packed By Dunbar-Dukate Co. New Orleans, La.-Biloxi, Miss. Net Contents 8 Ounces Oyster Meat."

Adulteration of the article was alleged in the information for the reason that certain substances, to wit, excessive water and excessive brine, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality and strength, and had been substituted in part for oysters, which the said article purported to be.

Misbranding was alleged for the reason that the statements, to wit, "Oysters" and "Net Contents 8 Ounces," borne on the labels of the cans containing the article, were false and misleading, in that the said statements represented that the article consisted wholly of oysters and that each of the cans contained 8 ounces of oysters, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it consisted wholly of oysters and that each of the cans contained 8 ounces thereof, whereas it did not consist wholly of oysters but did consist in part of excessive water and excessive brine, and each of said cans did not contain 8 ounces of oysters but did contain a less amount. Misbranding was alleged for the further reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On June 8, 1926, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$150.

W. M. JARDINE, *Secretary of Agriculture.*

14677. Adulteration and misbranding of canned shrimp and canned oysters. U. S. v. Sea Food Co. Plea of guilty. Fine, \$150. (F. & D. No. 19283. I. S. Nos. 2914-v, 4744-v, 18027-v, 18040-v, 18041-v.)

On February 20, 1926, the United States attorney for the Southern District of Mississippi, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Sea Food Co., a corporation, Biloxi, Miss., alleging shipment by said company, in violation of the food and drugs act as amended, on or about September 8, 1923, from the State of Mississippi into the State of Pennsylvania, of a

quantity of canned shrimp, and on or about January 17, 1924, from the State of Mississippi into the State of Kentucky, of quantities of canned oysters, which said products were adulterated and misbranded. The shrimp were labeled in part: (Can) "Seafooco Brand Shrimp Wet Pack Packed By Sea Food Co. Biloxi, Miss. * * * Contents 5¾ Ozs. Shrimp." The oysters were labeled in part: (Can) "Seafooco Brand" (or "Konisur Brand") "Cove Oysters Packed By Sea Food Co. Biloxi, Miss." The cans were further labeled "Contents 5 Ozs. Oysters" or "Contents 5 Ounces," as the case might be.

Adulteration of the articles was alleged in the information for the reason that a substance, to wit, water or brine, had been mixed and packed therewith so as to lower and reduce and injuriously affect their quality and strength, and for the further reason that excessive brine or excessive water had been substituted in part for the said articles.

Misbranding was alleged for the reason that the statements, to wit, "Shrimp," "Contents 5¾ Ozs.," "Oysters," "Contents 5 Ozs.," and "Contents 5 Ounces," borne on the respective labels, were false and misleading, in that the said statements represented that the articles consisted wholly of shrimp, or oysters, as the case might be, and that the cans contained the amount of the article declared on the label, and for the further reason that they were labeled as aforesaid so as to deceive and mislead the purchaser into the belief that they consisted wholly of shrimp, or oysters, as the case might be, and that the cans contained the amount declared on the label, whereas the said articles consisted in part of excessive water or brine, and the cans contained less than declared on the label. Misbranding was alleged for the further reason that the articles were food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On June 8, 1926, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$150.

W. M. JARDINE, *Secretary of Agriculture.*

14678. Misbranding of Tex Bailey's Nu-Life. U. S. v. 11-11/12 Dozen Bottles of Tex Bailey's Nu-Life. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 21145. S. No. E-5744.)

On June 22, 1926, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 11½ dozen bottles of Tex Bailey's Nu-Life, shipped March 24, 1926, and remaining in the original unbroken packages at Boston, Mass., alleging that the article had been shipped by the Tex Bailey Corp., Troy, N. Y., and transported from the State of New York into the State of Massachusetts, and charging misbranding in violation of the food and drugs act as amended.

Analysis by the Bureau of Chemistry of this department of a sample of the article showed that it consisted essentially of water, Epsom salt, iron chloride, salicylic acid, saccharin, extracts of plant drugs including capsicum and senna, and was flavored with volatile oil including sassafras oil.

Misbranding of the article was alleged in the libel for the reason that the following statements regarding its curative and therapeutic effects were false and fraudulent, since the said article contained no ingredient or combination of ingredients capable of producing the effects claimed: (Bottle label) "Nu-Life * * * Remedy * * * for Stomach, Liver, Kidneys And Blood," (carton) "Nu-Life * * * Remedy * * * for the Stomach, Liver, Kidneys And Blood * * * Rheumatism * * * Beneficial for Rheumatism, Neuralgia, Chills, Fever, Ague, La Grippe, Catarrh, Asthma, Skin Eruptions, Pimples, Boils, Eczema, Scrofulous Humors, Scald Head, Syphilitic Humors, Erysipelas * * * Bloating of the Stomach, Dizziness, Faintness, Nervous Headache, Female Weakness, Pains in the Back * * * Billiousness and any Bowel or Kidney Trouble * * * found Beneficial for the Stomach, Liver, Kidneys And Blood * * * And Rheumatism * * * Relieves By Exterminating Microbes And Germs, And Imparting To The Blood Those Necessary Properties Which Drive Away Taints Of Impurity," (form letter in package) "People that take our Nu-Life remedy * * * like to tell their fellow men what this grand medicine has done for them, so they too can receive the same benefit * * * the wonderful things that Nu-life has done and is doing for humanity," (circular) "Nu-Life * * * A * * * Blood Purifier The Stomach * * * Nu-Life remedy can be used for stomach troubles. The Intestines Bowels * * * Nu-Life Remedy * * * relieving * * * bowel troubles. The Liver and Kidneys * * * for disease of the Liver and Kidneys try Nu-Life. Blood and Skin Diseases Contagious

Blood Diseases, whether inherited or contracted, are a most dangerous menace to the health of a person. Not only do they make one unsightly by making their appearance in the form of Eruptions, Pimples, Scald Head or Syphilitic Humors, but they gradually undermine the health, seriously affecting the brain and nervous system. Nu-Life Remedy has helped many who have had blood troubles. Do You Suffer With Rheumatism? * * * Whether the disease be Chronic, Inflammatory or Gonorrhea Rheumatism, there is no remedy like Nu-Life Remedy * * * Have You Dyspepsia? try Nu-Life Remedy. For all disorders of the Stomach, Liver and Bowels; for Indigestion, Dyspepsia, Costiveness, Diarrhoea, Intermittent and other Malarial Fevers * * * Did you ever have a kink in your back? Do you find it difficult to bend over? Do you experience excruciating pains in the small of your back when rising from a chair or changing from one position to another? Were the kidneys strong and healthy instead of being weak, this form of backache would be unknown. * * * Dirt Inside The Body Causes Sickness * * * By 'Dirt' we mean any impurity. When your stomach is dirty * * * When the bowels are dirty * * * When the kidneys are dirty * * * When the nasal passages are dirty * * * If the internal ear is dirty * * * In women, when the organs peculiar to them are dirty * * * these things are accompanied by foul smelling odors which indicate more clearly than anything else that some part of the body is dirty. That is, it is unclean. It is clogged up with impurities. It must be rid of these impurities and poisons which we call dirt, before it can get well. Use Nu-Life to get rid of bodily dirt. * * * Nu-Life cleans out impurities. * * * has been proven to be able to clean the system and restore it," (Polish) "Rheumatism, Grippe * * * Scrofulous eczema, syphilis, erysipelas, indigestion, dyspepsia."

On August 30, 1926, no claimant having appeared for the property, judgment of condemnation was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

14679. Adulteration and misbranding of butter. U. S. v. 50 Cartons, et al., of Butter. Decrees of condemnation and forfeiture. Product released under bond. (F. & D. No. 21277, 21278. I. S. Nos. 2274-x, 2284-x. S. Nos. C-5209, C-5223.)

On August 10 and 16, 1926, respectively, the United States attorney for the Northern District of Ohio, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 100 fiber-board cartons of butter, remaining in the original unbroken packages at Cleveland, Ohio, alleging that the article had been shipped by the Harrow-Taylor Butter Co., Kansas City, Mo., in part on or about July 26, 1926, and in part on or about August 5, 1926, and transported from the State of Missouri into the State of Ohio, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Creamery Butter."

Adulteration of the article was alleged in the libels for the reason that a product which contained less than 80 per cent by weight of milk fat had been substituted for butter, a product which should contain not less than 80 per cent by weight of milk fat as prescribed by the act of March 4, 1923.

Misbranding was alleged for the reason that the statement "Butter," borne on the label, was false and misleading, in that the said statement represented that the article consisted wholly of butter, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it consisted wholly of butter, whereas it did not so consist but did consist of a product deficient in milk fat. Misbranding was alleged for the further reason that the statement "Butter," borne on the label, was false and misleading, in that it represented that the article was butter, to wit, a product which should contain not less than 80 per cent by weight of milk fat as prescribed by law, whereas the said article contained less than 80 per cent by weight of milk fat.

On August 30, 1926, the Harrow-Taylor Butter Co., Kansas City, Mo., having appeared as claimant for the property and having admitted the allegations of the libels, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of bonds in the total sum of \$1,000, conditioned in part that it be reworked so that it would meet the requirements of the law defining and providing a standard for butter.

W. M. JARDINE, *Secretary of Agriculture.*

14680. Adulteration of apple chops. U. S. v. 861 Sacks of Apple Chops. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21269. I. S. No. 2097-x. S. No. C-5221.)

On August 26, 1926, the United States attorney for the Western District of Kentucky, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 861 sacks of apple chops, remaining in the original unbroken packages at Louisville, Ky., alleging that the article had been shipped by the Washington Dehydrated Fruit Co., Wenatchee, Wash., on or about February 9, 1926, and transported from the State of Washington into the State of Kentucky, and charging adulteration in violation of the food and drugs act.

Adulteration of the article was alleged in the libel for the reason that it contained an added poisonous or other deleterious ingredient, to wit, arsenic, which might have rendered it injurious to health.

On October 4, 1926, the Von Allmen Preserving Co., Louisville, Ky., having appeared as claimant for the property and the court having found that the product might be reclaimed and made to comply with the law by removing the excessive arsenic, judgment of condemnation was entered, and it was ordered by the court that the said product be released to the claimant upon the execution of a bond in the sum of \$2,000, conditioned in part that it be reconditioned under the supervision of this department.

W. M. JARDINE, *Secretary of Agriculture.*

14681. Adulteration of apple chops. U. S. v. 756 Sacks of Apple Chops. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21273. I. S. No. 13908-x. S. No. C-5230.)

On September 1, 1926, the United States attorney for the Western District of Kentucky, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 756 sacks of apple chops, remaining in the original unbroken packages at Louisville, Ky., alleging that the article had been shipped by the Evaporated Fruits, Inc., Selah, Wash., on or about July 30, 1926, and transported from the State of Washington into the State of Kentucky, and charging adulteration in violation of the food and drugs act.

Adulteration of the article was alleged in the libel for the reason that it contained an added poisonous or other deleterious ingredient, to wit, arsenic, which might have rendered it injurious to health.

On October 4, 1926, the Goodwin Preserving Co., Louisville, Ky., having appeared as claimant for the property and the court having found that the product might be reclaimed and made to comply with the law by removing the excessive arsenic, judgment of condemnation was entered, and it was ordered by the court that the said product be released to the claimant upon the execution of a bond in the sum of \$2,000, conditioned in part that it be reconditioned under the supervision of this department.

W. M. JARDINE, *Secretary of Agriculture.*

14682. Adulteration of butter. U. S. v. 18 Boxes of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21177. I. S. No. 1884-x. S. No. C-5191.)

On June 26, 1926, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 18 boxes of butter, at Cincinnati, Ohio, alleging that the article had been shipped by the Johnson Butter Co., Terre Haute, Ind., June 22, 1926, and transported from the State of Indiana into the State of Ohio, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (Box) "From Johnson Butter Company, Terre Haute Indiana."

Adulteration of the article was alleged in the libel for the reason that a product which contained less than 80 per cent by weight of milk fat had been substituted for butter, a product which should contain not less than 80 per cent by weight of milk fat as prescribed by the act of March 4, 1923, which the article purported to be. Adulteration was alleged for the further reason that the article did not contain 80 per cent of milk fat as prescribed by law.

On July 9, 1926, the Johnson Butter Co., Terre Haute, Ind., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon

payment of the costs of the proceedings and the execution of a bond in the sum of \$500, conditioned in part that it be salvaged under the supervision of this department, and not be sold or otherwise disposed of contrary to law.

W. M. JARDINE, *Secretary of Agriculture.*

14683. Adulteration and misbranding of cottonseed meal. U. S. v. 50 Bags of Cottonseed Meal. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21054. I. S. No. 6326-x. S. No. E-5756.)

On or about May 4, 1926, the United States attorney for the District of Delaware, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 50 bags of cottonseed meal, at Mt. Pleasant, Del., alleging that the article had been shipped by the Eastern Cotton Oil Co., from Hartford, N. C., on or about February 19, 1926, and transported from the State of North Carolina into the State of Delaware, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Dutch Maid Cotton Seed Meal * * * Manufactured By Eastern Cotton Oil Company Guarantee Protein not less than 41.00% Equivalent to Ammonia 8.00%."

Adulteration of the article was alleged in the libel for the reason that a substance low in protein (ammonia) had been substituted in part for the said article and had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength.

Misbranding was alleged for the reason that the labels on the bags containing the article bore the statement "Guarantee Protein not less than 41.00% Equivalent to Ammonia 8.00%," which said statement was false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the article was offered for sale under the distinctive name of another article.

On June 7, 1926, the Eastern Cotton Oil Co., Norfolk, Va., claimant, having consented to the entry of a decree, paid the costs of the proceedings and executed a bond in the sum of \$200, in conformity with section 10 of the act, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be delivered to the said claimant.

W. M. JARDINE, *Secretary of Agriculture.*

14684. Adulteration and misbranding of canned oysters. U. S. v. Sea Food Co. Plea of guilty. Fine, \$150. (F. & D. No. 17693. I. S. Nos. 7628-v, et al.)

On February 20, 1926, the United States attorney for the Southern District of Mississippi, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Sea Food Co., a corporation, Biloxi, Miss., alleging shipment by said company, in violation of the food and drugs act as amended, on or about April 29, 1922, from the State of Mississippi into the State of Colorado, of quantities of canned oysters which were adulterated and misbranded. The article was labeled in part: (Can) "Darling Brand Cove Oysters Packed By Sea Food Co. Biloxi, Miss. * * * Contents 4 Ozs. Oysters." (or "Contents 8 Ozs. Oysters").

Adulteration of the article was alleged in the information for the reason that a substance, to wit, water or brine, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality and strength and for the further reason that excessive water or excessive brine had been substituted in part for oysters which the article purported to be.

Misbranding was alleged for the reason that the statements, to wit, "Oysters" and "Contents 4 Ozs." or "Contents 8 Ozs.," borne on the labels, were false and misleading, in that the said statements represented that the article consisted wholly of oysters, and that each of said cans contained 4 ounces or 8 ounces, as the case might be, of oysters, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it consisted wholly of oysters, and that each of said cans contained 4 ounces or 8 ounces, as the case might be, of oysters, whereas it did not consist wholly of oysters but did consist in part of excessive water or brine, and each of said cans did not contain the amount declared on the label but did contain a less amount. Misbranding was alleged for the further reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the packages.

On June 8, 1926, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$150.

W. M. JARDINE, *Secretary of Agriculture.*

14685. Misbranding of linseed oil meal. U. S. v. 225 Sacks, et al., of Linseed Oil Meal. Decrees of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 21122, 21123. I. S. No. 11854-x. S. No. E-5738.)

On June 11, 1926, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 270 sacks of linseed oil meal, remaining in the original unbroken packages in part at Taneytown, Md., and in part at Union Bridge, Md., alleging that the article had been shipped by S. F. Scattergood & Co., from Philadelphia, Pa., on or about April 20, 1926, and transported from the State of Pennsylvania into the State of Maryland, and charging misbranding in violation of the food and drugs act. The article was labeled in part: "John T. Lewis & Bros. Co. 34% Linseed Oil Meal Protein 34% * * * Philadelphia, Penna."

Misbranding of the article was alleged in the libels for the reason that the label bore the statements "34% Linseed Oil Meal Protein 34%," regarding the article or the ingredients or substances contained therein, which were false and misleading and deceived and misled the purchaser.

On July 23 and August 6, 1926, respectively, the John T. Lewis & Bros. Co., Philadelphia, Pa., having appeared as claimant for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of good and sufficient bonds, conditioned that it not be sold or disposed of until labeled to show its contents, and inspected and approved by this department.

W. M. JARDINE, *Secretary of Agriculture.*

14686. Misbranding of butter. U. S. v. 80 Cases, et al., of Butter. Product released under bond. (F. & D. Nos. 18984, 19029, 19033. I. S. Nos. 18535-v, 18536-v, 18537-v. S. Nos. C-4481, C-4483, C-4485.)

On September 3, 1924, the United States attorney for the Western District of Texas, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 80 cases and 461 pounds of butter, at El Paso, Tex., alleging that the article had been shipped by the Estancia Dairy Co., from Estancia, N. Mex., in various consignments, on or about August 14, 29, and 30, 1926, respectively, and transported from the State of New Mexico into the State of Texas, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: (Retail package) "Jersey Cream Brand Pasteurized Butter Estancia Dairy Co. Estancia, N. M. One Pound Net Weight."

Misbranding of the article was alleged in the libels for the reason that the statements on the labels of the said retail packages were false and misleading and were calculated to deceive and mislead the purchaser as to the actual net weight of the contents of the packages, in that the net weight was less than 1 pound.

On September 24, 1924, the Estancia Dairy, Estancia, N. Mex., having appeared as claimant for the property and the cases having been consolidated into one cause of action, a decree was entered, ordering the product released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$250, conditioned in part that it be repacked so that the packages would contain the declared weight.

W. M. JARDINE, *Secretary of Agriculture.*

14687. Adulteration and misbranding of ether. U. S. v. 50 Cans of Ether. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 21044. I. S. No. 1579-x. S. No. C-5082.)

On June 4, 1926, the United States attorney for the Southern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of fifty 1-pound cans of ether, remaining in the original unbroken packages at Houston, Tex., alleging that the article had been shipped by the Mallinckrodt Chemical Works, from St. Louis, Mo., January 7, 1926, and

transported from the State of Missouri into the State of Texas, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Mallinckrodt One Pound Ether For Anesthesia, * * * a superior article in every respect, unsurpassed in chemical purity."

Analysis by the Bureau of Chemistry of this department of a sample of the article showed that it contained peroxide.

Adulteration of the article was alleged in the libel for the reason that it was sold under and by a name recognized by the U. S. Pharmacopœia and differed from the standard of quality and purity as prescribed in said pharmacopœia, and its own standard was not stated upon the labels, and in that the purity of the said article fell below the professed standard of quality under which it was sold.

Misbranding was alleged for the reason that the statements on the labels of the cans containing the article, namely, "Ether for Anesthesia * * * a superior article in every respect, unsurpassed in chemical purity," were false and misleading.

On October 13, 1926, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

14688. Adulteration of tomato paste. U. S. v. 74 Cases of Tomato Paste. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 20471. I. S. No. 7038-x. S. No. E-5512.)

On October 7, 1925, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 74 cases of concentrated tomato paste, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by Cribari & Sons, from Hazlet, N. J., on or about September 23, 1925, and transported from the State of New Jersey into the State of New York, and charging adulteration in violation of the food and drugs act.

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a filthy, decomposed, and putrid vegetable substance.

On October 13, 1926, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

14689. Adulteration of chopped apples. U. S. v. 687 Bags of Chopped Apples. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 21227. I. S. No. 4291-x. S. No. C-5201.)

On August 11, 1926, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 687 bags of chopped apples, consigned by the Standard Apple Products, Inc., of Rochester, N. Y., alleging that the article had been shipped from Dupu, Ill., in part July 26 and in part July 31, 1926, and transported from the State of Illinois into the State of Missouri, and charging adulteration in violation of the food and drugs act.

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed, or putrid vegetable substance.

On October 11, 1926, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

14690. Misbranding of cottonseed cake. U. S. v. 85 Sacks of Cottonseed Cake. Decree of forfeiture entered. Product released under bond. (F. & D. No. 20931. I. S. No. 432-x. S. No. W-1917.)

On March 17, 1926, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 85 sacks of cottonseed cake, remaining in the original unbroken packages at Pueblo, Colo., consigned by the Coleman Cotton Oil Mill, Coleman, Tex., alleging that the article had been shipped from Coleman, Tex., on or about October 23,

1925, and transported from the State of Texas into the State of Colorado, and charging misbranding in violation of the food and drugs act. The article was labeled in part: "43% Protein Cottonseed Cake. Prime Quality."

Misbranding of the article was alleged in the libel for the reason that the statement "43% Protein," borne on the label, was false and misleading and deceived and misled the purchaser, since the said product did not contain 43 per cent of protein.

On July 21, 1926, the Consumers Cotton Oil Mills having appeared as claimant for the property, judgment of forfeiture was entered, and it was ordered by the court that the property be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$500, conditioned in part that it be relabeled according to its correct contents.

W. M. JARDINE, *Secretary of Agriculture.*

14691. Adulteration and misbranding of morphine sulphate tablets and codeine sulphate tablets. U. S. v. Morgenstern & Co. Plea of nolo contendere. Special judgment entered. Fine, \$150. (F. & D. No. 18998. I. S. Nos. 1916-v, 1926-v, 1927-v, 2252-v, 2873-v, 15359-v.)

At the December, 1924, term of the United States District Court within and for the Southern District of New York, the United States attorney for said district, acting upon a report by the Secretary of Agriculture, filed in the District Court aforesaid an information against Morgenstern & Co., a corporation, New York, N. Y., alleging shipment by said company, in various consignments, on or about June 14, 1923, from the State of New York into the State of Pennsylvania, of a quantity of codeine sulphate tablets, on or about June 22, 1923, from the State of New York into the State of Rhode Island, of a quantity of morphine sulphate tablets, on or about December 13, 1923, from the State of New York into the State of New Jersey, of a quantity of morphine sulphate tablets, and on or about August 23, 1923, and January 3, 1924, from the State of New York into the State of Massachusetts, of quantities of morphine sulphate tablets and codeine sulphate tablets which were adulterated and misbranded. The articles were labeled in part: "Distributed and Guaranteed by Morgenstern & Co., New York," and were further labeled as hereinafter set forth.

Analysis by the Bureau of Chemistry of this department of three samples of the morphine sulphate tablets labeled "1/4 Grain" showed that they contained approximately 0.227, 0.227, and 0.225 grain, respectively, of morphine sulphate per tablet; analysis of a sample of the morphine sulphate tablets labeled "1/8 Gr." showed that it contained approximately 0.184 grain of morphine sulphate per tablet; analysis of two samples of the codeine sulphate tablets, labeled "1/4 Grain," showed that they contained approximately 0.215 and 0.219 grain, respectively, of codeine sulphate per tablet.

Adulteration of the articles was alleged in substance in the information for the reason that their strength and purity fell below the professed standard and quality under which they were sold, in that the labels represented the said tablets to contain 1/4 grain of morphine sulphate, 1/8 grain of morphine sulphate, or 1/4 grain of codeine sulphate, as the case might be, whereas the alleged 1/4 grain morphine sulphate tablets and the alleged 1/4 grain codeine sulphate tablets contained less than represented on the labels, and the alleged 1/8 grain morphine sulphate tablets contained more morphine sulphate than so represented.

Misbranding was alleged for the reason that the following statements, to wit, "Tablets Morphine Sulphate 1/4 Grain," "Tablets Morphine Sulphate 1/8 Gr.," "Tablets Codeine Sulphate * * * 1/4 Grain," as the case might be, borne on the labels of the respective products, were false and misleading, in that the said statements represented that each of said tablets contained the amount of the product declared on the label thereof, whereas the alleged 1/4 grain morphine sulphate tablets contained less than 1/4 grain of morphine sulphate each, the alleged 1/4 grain codeine sulphate tablets contained less than 1/4 grain of codeine sulphate each, and the alleged 1/8 grain morphine sulphate tablets contained more than 1/8 grain of morphine sulphate each.

On January 26, 1926, a plea of nolo contendere to the information was entered on behalf of the defendant company, and the court imposed the following judgment: "It is conceded that the tablets were manufactured, bottled, and labeled by the Fraser Tablet Co., of Brooklyn, New York, the defendant company being merely the jobber and relying on the manufacturer's com-

mercial warranties; that the defendant company procured from the Fraser Tablet Co. a guarantee under the pure food & drugs act, the validity of which was questioned because the guarantee was not delivered until after some of the merchandise had been shipped in interstate commerce, although it was procured before the filing of the information. The good faith of the jobber was not involved in this proceeding."

The court thereupon imposed a fine of \$150 against the defendant company.

W. M. JARDINE, *Secretary of Agriculture.*

14692. Adulteration of scallops. U. S. v. Speridon Stamates (Potomac Fish & Oyster Co.). Plea of guilty. Fine, \$20. (F. & D. No. 19785. I. S. No. 4900-x.)

On October 25, 1926, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the police court of the District aforesaid an information against Speridon Stamates, trading as the Potomac Fish & Oyster Co., Washington, D. C., alleging that on January 21, 1926, the said defendant did offer for sale and sell in the District of Columbia, in violation of the food and drugs act, a quantity of scallops which were adulterated.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, water, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality, and had been substituted in part for scallops, which the said article purported to be.

On October 25, 1926, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$20.

W. M. JARDINE, *Secretary of Agriculture.*

14693. Adulteration of canned cherries. U. S. v. 15 Cases of Canned Cherries. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 20758. I. S. No. 8503-x. S. No. C-5037.)

On January 9, 1926, the United States attorney for the Eastern District of Kentucky, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 15 cases of canned cherries, at Lexington, Ky., consigned by the J. Salter Co., Manchester, N. Y., alleging that the article had been shipped in interstate commerce from Manchester, N. Y., into the State of Kentucky, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Outlet Brand Red Sour Pitted Cherries Packed by The J. Salter Co., Manchester, N. Y."

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed, or putrid vegetable substance.

On October 26, 1926, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

14694. Misbranding of Boro-Pheno-Form. U. S. v. 11 Dozen Retail Packages of Boro-Pheno-Form. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 21261. I. S. No. 12439-x. S. No. C-5212.)

On September 3, 1926, the United States attorney for the Northern District of Iowa, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 11 dozen packages of Boro-Pheno-Form, remaining unsold at Sioux City, Iowa, alleging that the article had been shipped by the Dr. Pierre Chemical Co., from Chicago, Ill., on or about July 13, 1926, and transported from the State of Illinois into the State of Iowa, and charging misbranding in violation of the food and drugs act as amended.

Analysis by the Bureau of Chemistry of this department of a sample of the article showed that it consisted of suppositories containing cocoa butter, quinine sulphate, zinc sulphate, boric acid, and traces of formaldehyde and phenol.

Misbranding of the article was alleged in the libel for the reason that the following statements regarding the curative and therapeutic effects of the said article, borne on the labels, were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed: (Package label, wrapper and booklet) "antiseptic," (booklet) "Beauty, health and strength * * * Healing and Invigorating Influence.

* * * Causes Of Woman's Ills. * * * All troubles are easily cured in the beginning * * * The remedy will prove of such remarkable benefit to you that you will consider it your duty to recommend it to your friends in like circumstances. For the treatment of diseases peculiar to woman it remains without a rival * * * For the diseases and inflamed condition of the Pelvic organs such as Leucorrhoea (the whites) Ammenorrhoea (Suppression), Dysmenorrhoea (painful periods), Menorrhagia (bleeding) Ovaritis (inflammation), Boro-Pheno-Form is indispensable. The diseased and inflamed conditions of these organs in general, most naturally affect the whole nervous system, culminating in Headaches, Despondency, Melancholy, Hysteria, Crying Spells and Dyspepsia. Tumors, Irregularities and other complicated afflictions are sure to follow these conditions. The system in general quickly responds in sympathy with the diseased condition of the organs. * * * Overcomes Leucorrhoea And Other Pelvic Derangements. First, by its marvelous antiseptic action which cleanses the parts and destroys pus cells. Second, by its slight astringent properties which tend to restore the dilated Epithelial cells to their normal size, thus enabling them to perform nature's duty normally. Third, by its great Tonic effect upon the organs and the circulation. Under the action of this remedy the discharge gradually ceases, the unpleasant symptoms soon disappear, the food is better assimilated, you commence to gain strength and soon feel like a new woman. We earnestly urge all women so afflicted to use Dr. Pierre's Boro-Pheno-Form Antiseptic Cones. * * * a most excellent treatment for piles. * * * As a tonic and invigorator in Nervous Debility, use one every other night. For Leucorrhoea, Catarrh, Prolapse, Version, Flexion, Backache, Suppression of the Natural Flow, due to a cold, and as a general tonic to any of the Female Organs * * * These suppositories should not be used during menstruation, as they may impede its progress, but used in the intervals, they prove a most efficient regulator as to time and quantity and make this important function upon which good health so greatly depends, as it should be—natural and painless. * * * A smarting sensation on first application is conclusive proof of an ulcerated condition of the parts and therefore the more urgent the need of the remedy. * * * The best cure for female trouble * * * of great help to all ills of a mother. * * * very beneficial as a cure for Leucorrhoea * * *. I have been using the * * * cones for Leucorrhoea, and has made me feel like a different woman * * * It is the best cure for female trouble."

On October 28, 1926, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

14695. Adulteration of canned salmon. U. S. v. 1,219 Cases of Red Salmon. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21300. I. S. No. 12647-x. S. No. W-2022.)

On September 24, 1926, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 1,219 cases of canned salmon, remaining in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped by the Red Salmon Canning Co., from Naknek, Alaska, arriving at San Francisco, Calif., on or about August 20, 1926, and that it had been transported in interstate commerce from the Territory of Alaska into the State of California, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Eagle Brand Fresh Salmon Produce Of U. S. A. C. & E. Morton, Ltd. London, England."

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed, or putrid animal substance.

On October 22, 1926, the Red Salmon Canning Co., Naknek, Alaska, having appeared as claimant for the property and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said-claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$6,095, conditioned in part that it be made to conform with the law under the supervision of and to the satisfaction of this department.

W. M. JARDINE, *Secretary of Agriculture.*

14696. Adulteration of shell eggs. U. S. v. 16 Cases of Eggs. Decree of condemnation and forfeiture entered. Product released under bond. (F. & D. No. 21275. I. S. No. 2099-x. S. No. C-5202.)

On or about August 5, 1926, the United States attorney for the Western District of Kentucky, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 16 cases of shell eggs, remaining in the original unbroken packages at Louisville, Ky., consigned by Bullington Bros., Hardingsburg, Ind., August 2, 1926, alleging that the article had been shipped from Hardingsburg, Ind., and transported from the State of Indiana into the State of Kentucky, and charging adulteration in violation of the food and drugs act.

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a filthy, decomposed, and putrid animal substance.

On August 11, 1926, Bullington Bros., Hardingsburg, Ind., having entered a claim for the property and having admitted the allegations of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the claimant upon the execution of a bond in the sum of \$115, conditioned in part that the decomposed eggs be separated from the sound eggs under the supervision of this department, and the former destroyed.

W. M. JARDINE, *Secretary of Agriculture.*

14697. Adulteration of canned blackberries. U. S. v. 105 Cases of Canned Blackberries. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 21099. I. S. No. 10576-x. S. No. W-1981.)

On May 29, 1926, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 105 cases of canned blackberries, remaining in the original unbroken packages at San Francisco, Calif., consigned by the Northern Canneries Corp., Tacoma, Wash., alleging that the article had been shipped from Tacoma, Wash., February 11, 1926, and transported from the State of Washington into the State of California, and charging adulteration in violation of the food and drugs act.

Adulteration of the article was alleged in the libel for the reason that it consisted wholly or in part of a filthy, decomposed, and putrid vegetable substance.

On October 22, 1926, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

14698. Adulteration of butter. U. S. v. 129 Tubs and 13 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21228. I. S. Nos. 2094-x, 2095-x. S. No. C-5198.)

On or about July 30 and 31, 1926, respectively, the United States attorney for the Western District of Kentucky, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 142 tubs of butter, remaining in the original unbroken packages at Louisville, Ky., alleging that the article had been shipped by the Tip Top Creamery Co., Vincennes, Ind., in part on or about July 7, 1926, and in part on or about July 16, 1926, and transported from the State of Indiana into the State of Kentucky and charging adulteration in violation of the food and drugs act.

Adulteration of the article was alleged in the libels for the reason that a product which contained less than 80 per cent by weight of milk fat had been substituted for butter, a product which should contain not less than 80 per cent by weight of milk fat as prescribed by the act of March 4, 1923, which the said article purported to be.

On August 11, 1926, the two cases having been consolidated into one cause of action and the Armour Creameries, Louisville, Ky., having appeared as claimant for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$4,000, said bond providing that the product be reconditioned under the supervision of this department to comply with the requirements of the law.

W. M. JARDINE, *Secretary of Agriculture.*

14699. Adulteration of butter. U. S. v. 9 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21180. I. S. No. 14035-x. S. No. C-5183.)

On June 28, 1926, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 9 tubs of butter, remaining in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped by the A. G. Creamery Co., from Arcadia, Wis., June 17, 1926, and transported from the State of Wisconsin into the State of Illinois, and charging adulteration in violation of the food and drugs act.

Adulteration of the article was alleged in the libel for the reason that excessive water had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, for the further reason that a substance deficient in milk fat and high in moisture had been substituted wholly or in part for the said article, for the further reason that a valuable constituent, butterfat, had been in part abstracted therefrom, and for the further reason that it contained less than 80 per cent of butterfat.

On August 31, 1926, Leserman Bros., Chicago, Ill., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, conditioned in part that it be reprocessed under the supervision of this department so as to contain not less than 80 per cent of butterfat and not more than 16 per cent of water.

W. M. JARDINE, *Secretary of Agriculture.*

14700. Adulteration and misbranding of butter. U. S. v. 12 Tubs and 12 Tubs of Butter. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 21313, 21314. I. S. Nos. 7200-x, 13473-x. S. Nos. E-5862, E-5863.)

On September 7 and 10, 1926, respectively, the United States attorney for the Southern District of New York, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 24 tubs of butter, at New York, N. Y., alleging that the article had been shipped by the Faith Creamery Co., from Faith, S. Dak., on or about August 30, 1926, and transported from the State of South Dakota into the State of New York, and charging adulteration and misbranding in violation of the food and drugs act as amended.

Adulteration of the article was alleged in the libels for the reason that a substance deficient in butterfat had been mixed and packed therewith so as to reduce or lower or injuriously affect its quality or strength and had been substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the article was offered for sale under the distinctive name of another article, and for the reason that it was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On October 30 and November 1, 1926, respectively, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

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¹ Contains instructions to the jury.



United States Department of Agriculture

SERVICE AND REGULATORY ANNOUNCEMENTS

BUREAU OF CHEMISTRY

SUPPLEMENT

N. J. 14701-14750

[Approved by the Secretary of Agriculture, Washington, D. C., March 25, 1927]

NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT

[Given pursuant to section 4 of the food and drugs act]

14701. Adulteration of canned string beans. U. S. v. 97 Cases of String Beans. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 20618. I. S. No. 9537-x. S. No. C-4866.)

On November 17, 1925, the United States attorney for the Northern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 97 cases of string beans, remaining in the original packages at Coleman, Tex., alleging that the article had been shipped by Appleby Bros., Fayetteville, Ark., on or about September 8, 1925, and transported from the State of Arkansas into the State of Texas, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (Can) "Zat-Zit Brand Cut String Beans * * * Packed By Appleby Bros. Fayetteville, Ark."

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed, or putrid vegetable substance.

On October 18, 1926, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

14702. Misbranding of butter. U. S. v. 40 Packages of Butter. Default decree of condemnation and forfeiture entered. Product ordered delivered to charitable institution. (F. & D. No. 21329. I. S. No. 13505-x. S. No. E-5780.)

On September 18, 1926, the United States attorney for the Western District of North Carolina, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of forty 1-pound packages of butter, at Charlotte, N. C., alleging that the article had been shipped by the Community Creamery Co., from Chester, S. C., September 14, 1926, and transported from the State of South Carolina into the State of North Carolina, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: "Community Brand Extra Fancy Creamery Butter Community Creamery Co. Chester, S. C. One Pound Net."

Misbranding of the article was alleged in the libel for the reason that the packages bore the statement "One Pound Net," which was false and misleading and deceived and misled the purchaser, and for the further reason that it was food in package form and the quantity of the contents was not plainly marked on the outside of the packages, in that the statement "One Pound Net" was false and incorrect.

On October 11, 1926, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be delivered to a charitable institution by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

14703. Adulteration of butter. U. S. v. 11 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21289. I. S. No. 12303-x. S. No. C-5214.)

On August 19, 1926, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 11 tubs of butter, remaining unsold in the original packages at Chicago, Ill., alleging that the article had been shipped by the Alpha Creamery Co., from St. Paul, Minn., August 14, 1926, and transported from the State of Minnesota into the State of Illinois, and charging adulteration in violation of the food and drugs act.

Adulteration of the article was alleged in the libel for the reason that a substance, to wit, excessive water, had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, for the further reason that a substance deficient in milk fat and high in moisture had been substituted wholly or in part for the said article, and for the further reason that a valuable constituent of the article, to wit, butterfat, had been in part abstracted therefrom.

On September 16, 1926, the Alpha Creamery Co., St. Paul, Minn., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, conditioned in part that it be reprocessed so as to contain not less than 80 per cent of butterfat and not more than 16 per cent of water.

W. M. JARDINE, *Secretary of Agriculture.*

14704. Adulteration and misbranding of so-called health water. U. S. v. Twenty-One 5-Gallon Bottles of Williams Acme Spring Health Water. Default decree of forfeiture and destruction entered. (F. & D. No. 19903. I. S. No. 13598-v. S. No. E-5185.)

On March 19, 1925, the United States attorney for the Eastern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of twenty-one 5-gallon bottles of Williams' Acme spring health water, remaining in the original unbroken packages at Brooklyn, N. Y., alleging that the article had been shipped by Williams Bros., from Norfolk, Va., on or about February 4, 1925, and transported from the State of Virginia into the State of New York, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Williams Acme Spring Health Water Williams Brothers Norfolk, Va."

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed, or putrid substance.

Misbranding was alleged for the reason that the statement "Health Water," borne on the label, was misleading and deceived and misled the purchaser.

On June 18, 1926, no claimant having appeared for the property, judgment of forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

14705. Adulteration of tomato puree. U. S. v. 325 Cases of Tomato Puree. Default decree of forfeiture and destruction entered. (F. & D. No. 19506. I. S. No. 13221-v. S. No. E-5105.)

On January 20, 1925, the United States attorney for the Eastern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 325 cases of tomato puree, remaining unsold in the original packages at Brooklyn, N. Y., alleging that the article had been shipped by the Rio Grande Packing Co., Rio Grande, N. J., October 18, 1924, and transported from the State of New Jersey into the State of New York, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Sunbeam Tomato Puree."

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed, or putrid vegetable substance.

On May 6, 1926, no claimant having appeared for the property, judgment of forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

14706. Adulteration of canned tomato puree and canned strained tomatoes. U. S. v. 785 Cases of Tomato Puree, et al. Default decrees of forfeiture and destruction entered. (F. & D. Nos. 20564, 20565, 20588, 20589, 20628. I. S. Nos. 7152-x to 7156-x, incl. S. Nos. E-5549, E-5550, E-5565, E-5580.)

On November 12 and 21, 1925, respectively, the United States attorney for the Eastern District of New York, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 919 cases of canned tomato puree and 103½ cases of canned strained tomatoes, remaining in the original unbroken packages at Brooklyn, N. Y., alleging that the articles had been shipped by the Keough Canning Co., from Glassboro, N. J., in various consignments, between the approximate dates of August 27 and October 7, 1925, and transported from the State of New Jersey into the State of New York, and charging adulteration in violation of the food and drugs act. The articles were labeled, variously: "Holly Bush Brand Tomato Puree Packed By Keough Canning Co., Glassboro, N. J.," "Sweet Life Brand Fancy Tomato Puree," "See Bee Brand Strained Tomatoes," "Blue Coat Brand Strained Tomatoes * * * Packed By Keough Canning Co., Glassboro, N. J."

Adulteration of the articles was alleged in the libels for the reason that they consisted in whole or in part of filthy, decomposed, or putrid vegetable substances.

On May 3, 1926, no claimant having appeared for the property, judgments of forfeiture were entered, and it was ordered by the court that the products be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

14707. Adulteration and misbranding of punch. U. S. v. 27 Cases, et al., of Punch. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 19081, 19082. I. S. Nos. 13266-v to 13275-v, incl. S. Nos. E-4987, E-4989.)

On October 27, 1924, the United States attorney for the Eastern District of New York, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 74 cases of punch, remaining unsold in the original packages at Brooklyn, N. Y., alleging that the article had been shipped by the Flip Mfg. Co., from Scranton, Pa., in part May 5, 1924, and in part June 7, 1924, and transported from the State of Pennsylvania into the State of New York, and charging adulteration and misbranding in violation of the food and drugs act as amended. The article was labeled in part: "One Pint Swartz's Family Punch Flavored Syrup * * * Manufactured By Flip Manufacturing Co., Scranton, Pa.," together with statements of the various flavors, "Orange," "Raspberry," "Grape," "Cherry," or "Lime & Lemon."

Adulteration of the article was alleged in the libels for the reason that a substance, an imitation punch, had been mixed and packed therewith so as to reduce, lower, or injuriously affect its quality and strength and had been substituted wholly or in part for the said article, and for the further reason that it had been colored in a manner whereby damage or inferiority was concealed.

Misbranding was alleged for the reason that the statements "One Pint" and "Orange" (or "Raspberry," "Grape," "Cherry," "Lime & Lemon," as the case might be) together with the design of assorted ripe fruits, borne on the label, were false and misleading and deceived and misled the purchaser. Misbranding was also alleged for the reason that the article was an imitation and offered for sale under the distinctive name of another article. Misbranding was alleged for the further reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On April 13, 1925, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

14708. Adulteration and misbranding of jam. U. S. v. 10 Dozen Jars of Raspberry Jam and 10 Dozen Jars of Strawberry Jam. Default decree of forfeiture and destruction entered. (F. & D. No. 20266. I. S. Nos. 21752-v, 21753-v. S. No. E-5432.)

On July 24, 1925, the United States attorney for the Eastern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 20 dozen jars of jam, remaining unsold in the original packages at Brooklyn, N. Y., alleging that the article had been shipped by the Whipple Co., Natick, Mass., on or about April 27, 1925, and transported from the State of Massachusetts into the State of New York, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Old Town * * * Strawberry" (or "Raspberry") "Fruit, Gran. Sugar, Corn Syrup The Whipple Company Natick, Mass."

Adulteration of the article was alleged in the libel for the reason that a substance deficient in fruit and containing excessive sugar and glucose had been substituted in part for the said article.

Misbranding was alleged for the reason that the article was an imitation of another article.

On March 27, 1926, no claimant having appeared for the property, judgment of forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

14709. Adulteration and misbranding of macaroni. U. S. v. 44 Boxes of Macaroni. Consent decree of condemnation and forfeiture. Product released under bond to be relabeled. (F. & D. No. 21218. I. S. No. 8284-x. S. No. E-5842.)

On August 7, 1926, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 44 boxes of macaroni, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the Cassinelli Macaroni Co., from Hoboken, N. J., on or about July 8, 1926, and transported from the State of New Jersey into the State of New York, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Optimus Brand Alimentary Paste Macaroni U. S. Certified Color Use."

Adulteration of the article was alleged in the libel for the reason that it was colored in a manner whereby inferiority was concealed.

Misbranding was alleged for the reason that the article was an imitation of and offered for sale under the distinctive name of another article, to wit, alimentary paste.

On October 16, 1926, the Cassinelli Macaroni Co., Hoboken, N. J., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$500, conditioned in part that it be relabeled, "Imitation Egg Paste, Artificially Colored and Contains no Eggs."

W. M. JARDINE, *Secretary of Agriculture.*

14710. Adulteration of canned salmon. U. S. v. 450 Cases of Salmon. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 19209. I. S. Nos. 21455-v, 21463-v, 21467-v. S. No. C-4551.)

On November 28, 1924, the United States attorney for the Eastern District of Michigan, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 450 cases of salmon, remaining in the original unbroken packages at Lansing, Mich., alleging that the article had been shipped by the Ward's Cove Packing Co., from Prince Rupert, British Columbia, August 25, 1924, and that it had been shipped in interstate and foreign commerce into the State of Michigan, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (Can) "Ward's Cove Pink Salmon Packed by Ward's Cove Packing Co. Ketchikan, Alaska."

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed, or putrid animal substance.

On March 3, 1926, the Ward's Cove Packing Co., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$4,500, in conformity with section 10 of the act, conditioned in part that the product be salvaged, the portion unfit for human food destroyed, and the remainder released.

W. M. JARDINE, *Secretary of Agriculture.*

14711. Misbranding of poultry feed. U. S. v. Marine Products Co., Inc. Plea of guilty. Fine, \$25 and costs. (F. & D. No. 19782. I. S. Nos. 10457-x, 10464-x, 10464-x, 10465-x, 10467-x.)

On September 24, 1926, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Marine Products Co., Inc., a corporation, Tacoma, Wash., alleging shipment by said company, in violation of the food and drugs act, in various consignments, on or about June 26 and December 10, 1925, and January 7 and 20, 1926, respectively, from the State of Washington into the State of Oregon of quantities of poultry feed which was misbranded. A portion of the article was labeled, "Argentine Scraps-O-Meat * * * Guaranteed Analysis Crude Protein—Not less than 50% * * * Ash—Not more than 20% * * * Manufactured by Marine Products Co., Inc. Tacoma, Washington." The remainder of the said article was labeled, "Meat Meal Poultry Food Protein not less than 50% * * * Crude Fibre not more than 2½% Ash not more than 20% Manufactured by Marine Products Co. Inc. Tacoma, Wash."

Misbranding of the article was alleged in the information for the reason that the statements, to wit, "Guaranteed Analysis Crude Protein—Not less than 50% * * * Ash—Not more than 20%," with respect to a portion of the product and the statements "Protein not less than 50% Crude Fibre not more than 2½% Ash not more than 20%," with respect to the remainder thereof, borne on the sacks containing the said article, were false and misleading, in that the said statements represented that the article contained not less than 50 per cent of protein and not more than 20 per cent of ash, and that a portion thereof contained not more than 2½ per cent of crude fiber, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser thereof into the belief that it contained not less than 50 per cent of protein and not more than 20 per cent of ash, and that a portion contained not more than 2½ per cent of crude fiber, whereas the article contained less than 50 per cent of protein and more than 20 per cent of ash, and the said portion contained more than 2½ per cent of crude fiber.

On September 28, 1926, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$25 and costs.

W. M. JARDINE, *Secretary of Agriculture.*

14712. Misbranding of Vitona. U. S. v. 200 Packages of Vitona. Default decree of destruction entered. (F. & D. No. 21003. I. S. No. 1987-x. S. No. C-5065.)

On April 6, 1926, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of Vitona, at Columbus, Ohio, consigned by the Vitona Mineral Ore Co., Marshall, Tex., November 14, 1925, alleging that the article had been shipped in interstate commerce from Marshall, Tex., into the State of Ohio, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: "Packed by Vitona Mineral Ore Co. * * * Marshall, Tex."

Analysis by the Bureau of Chemistry of this department of a sample of the article showed that it consisted of crude silicate ore containing iron sulphate, free sulphur and charcoal, with traces of calcium, magnesium and aluminum sulphates.

It was alleged in substance in the libel that the article was misbranded, in that the following statements regarding its curative and therapeutic effects, borne on the carton containing the said article, were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed: "Vitona for Rheumatism, Indigestion, Kidney and Bladder Troubles; and for all Diseases arising from Impure or Impoverished Blood * * * In severe cases of Rheumatism and Gout * * * a miner

cured of falling fits of nineteen years standing * * * Wonderful Mineral Tonic * * * has relieved thousands * * * of Indigestion, Catarrh, Eczema, Diabetes, Rheumatism, Piles, Inflamed Sore Eyes, Gout, Blood Poison, Old Sores, Erysipelas, Tetters, Flux, Constipation, Female Complaints and Irregularities, and all Blood Diseases. If you are afflicted with any of these diseases or if your system is all run down * * * this Wonderful Natural Remedy will do wonders for you."

On October 16, 1926, no claimant having appeared for the property, judgment was entered, finding the product misbranded, and it was ordered by the court that it be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

14713. Adulteration and misbranding of canned tomatoes. U. S. v. 880 Cartons, et al., of Canned Tomatoes. Decrees of condemnation and forfeiture. Product released under bond. (F. & D. No. 21325. I. S. Nos. 13691-x, 13692-x, 13693-x, 13694-x. S. No. E-5879.)

On October 13, 1926, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 3,505 cartons of canned tomatoes, remaining in the original unbroken packages at Philadelphia, Pa., consigned by the Burlington County Canning Co., Vincentown, N. J., alleging that the article had been shipped from Vincentown, N. J., in various consignments, on or about August 25 and 31 and September 10 and 16, 1926, respectively, and transported from the State of New Jersey into the State of Pennsylvania, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Tomatoes."

It was alleged in the libels that the article was adulterated, in that a substance, added puree, pulp or juice from skins and cores had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength and had been substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the statement "Tomatoes," borne on the label, was false and misleading and deceived and misled the purchaser, and for the further reason that the article was offered for sale under the distinctive name of another article.

On October 18, 1926, Felix Spatola & Sons, Philadelphia, Pa., having appeared as claimant for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$7,800, conditioned in part that it be relabeled under the supervision of this department.

W. M. JARDINE, *Secretary of Agriculture.*

14714. Adulteration of pears. U. S. v. 246 Boxes, et al., of Pears. Decree of condemnation and forfeiture entered. Product released under bond. (F. & D. No. 21305. S. No. E-5872.)

On October 1, 1926, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 364 boxes and 289 half boxes of pears, remaining in the original unbroken packages at Boston, Mass., alleging that the article had been shipped by the Bear Creek Orchards, Medford, Oreg., (on or about September 8, 1926), and transported from the State of Oregon into the State of Massachusetts, and charging adulteration in violation of the food and drugs act. The article was labeled "Stamp Brand" or "Bear Creek Brand."

Adulteration of the article was alleged in the libel for the reason that a substance had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength, in that a substance had been substituted in part for the said article, in that a substance had been mixed therewith in a manner whereby damage and inferiority was concealed, and in that the article contained an added poisonous or other added deleterious ingredient which might have rendered it injurious to health.

On October 11, 1926, the Bear Creek Orchards, Inc., Medford, Oreg., having appeared as claimant for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the deposit of \$3,000. in lieu of a bond, conditioned in part that it be reconditioned

under the supervision of this department so that it should not contain any poisonous or other deleterious ingredient which would render it injurious to health.

W. M. JARDINE, *Secretary of Agriculture.*

14715. Misbranding of Dr. Bull's cough sirup. U. S. v. 4-47/48 Gross Bottles of Dr. Bull's Cough Sirup. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 20805. S. No. E-5625.)

On February 3, 1926, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 4-47/48 gross bottles of Dr. Bull's cough sirup, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by A. C. Meyer & Co., from Baltimore, Md., on or about January 16, 1926, and transported from the State of Maryland into the State of New York, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: (Bottle) "If the cough is severe * * * For Bronchitis, * * * Asthmatic Cough * * * croup * * * If attack is severe, give * * * until the disease subsides," (carton, English) "Hoarseness, Bronchitis, Grippe Cough, Croup, Whooping Cough and Measles Cough * * * to relieve cough of asthmatic and consumptive patients in incipient or advanced stages of their disease," (carton, German) "For * * * throat and chest colds, hoarseness, inflammation of the bronchial tubes, quinsy, grippe coughs, whooping cough, measles cough, and also for the alleviation of coughs of asthmatic and consumptive persons in the beginning or more advanced stage of their disease," (carton, French) "For * * * Cold in the head, hoarseness, bronchitis, quinsy croup, influenza, whooping cough and for alleviation in the early stages of phthisis, asthma, even after the disease has already caused great ravages," (carton, Spanish) "For * * * hoarseness, bronchitis, angina, croup, grippe cough, whooping cough and to alleviate the coughs of persons who suffer with asthma or phthisis in the beginning or advanced stages of their disease," (pink circular) "Tell Your Coughing Friends to send for sample * * * Do you hear another coughing hard; or, complaining of hoarseness and sore throat? Is one troubled with a bronchitis or grippe cough; or, required to take a cough medicine to quiet the cough, and facilitate expectoration of mucus, in the case of some throat or lung affection? Do you know a mother whose children have croup, whooping cough, or measles cough? * * * tell them of the benefits to be had from this celebrated remedy," (green circular) "Effectual in most cases, but for severe conditions the additional treatment mentioned, is advised. * * * A cough or cold should be promptly treated. It is often the beginning of serious throat or lung affections and, if neglected, can develop into consumption. * * * take Dr. Bull's Cough Syrup * * * If the cough is troublesome, take it * * * until relieved * * * Croup; simple.—A mother can best treat this affection of early childhood, if she has a bottle of Dr. Bull's Cough Syrup. Give the dose * * * every hour until the breathing becomes easier; * * * In distressing cases give the dose every half hour. Besides, lay hot poultices or hot moist flannels * * * or rub with Salvation Oil * * * Larrabee's Liniment * * * until the affection subsides. Whooping-Cough and Measles' Cough * * * When relief is shown * * * until cough stops. Bronchitis.—The cough attending an attack of this stubborn affection will generally yield to treatment with Dr. Bull's Cough Syrup if persevered in. * * * For a very troublesome cough, take dose every half hour. For Hoarseness, Sore Throat, Loss of Voice, etc., * * * Grippe, Influenza, Cold in the Head.—For the distressing, deep-seated and threatening cough generally following these affections * * * neglect of such coughs may contribute to the development of pleurisy or pneumonia, take promptly regular doses of the Syrup * * * For Asthmatic Cough, take half doses of Dr. Bull's Cough Syrup every hour and after each paroxysm. This will generally relieve recent cases; and, advanced cases may also be much benefited. * * * Cough attending Consumption, incipient or advanced. * * * Whether it is the occasional paroxysm of coughing, or the persistent, deep-seated and aggravating cough which a sufferer seeks to quiet; or, whether it is the expectoration of mucus that he desires to facilitate, Dr. Bull's Cough Syrup is recommended to be taken for the purpose, confident that it will prove perceptibly helpful in that direction * * * for treatment of * * * Croup, Whooping-Cough, Measles' Cough, Hoarseness,

Bronchitis, Grippe-Cough, Sore Throat, Loss of Voice, Hacking Coughs; and also to relieve Cough of Asthmatic and Consumptive Patients in the various stages of the disease. * * * a remedy which, for rapidity and certainty in relieving coughs, colds and kindred throat, bronchial and chest affections, has probably never been surpassed. * * * related throat, bronchial and chest affections. When it is remembered that life is saved more frequently by the timely prevention of the encroachments of disease than by combating disease when established, the propriety of using Dr. Bull's Cough Syrup promptly for colds and coughs is assuredly unquestionable and of supreme importance; especially in view of the insidious approach of consumption—that merciless enemy of human life. * * * For whooping-cough and simple croup it is invaluable. Mothers can always depend on it. * * * In many cases a few doses will give relief * * * efficacious in some more-aggravated cases of throat, bronchial and chest affections * * * for patients in advanced stages of pulmonary disease," (testimonials) "an attack of the grippe * * * a severe cough * * * A few doses cured the cough perfectly * * * a very bad cough * * * the same good effect * * * it was good for croup * * * a medicine for croup * * * a bad cough * * * a severe cough * * * whooping-cough * * * a sore throat * * * for * * * croup, bronchitis and whooping cough * * * one of those hard spasms * * * a very bad cold and cough * * * After two bottles she was entirely cured * * * for bronchitis * * * a bronchitis or asthmatic cough * * * In very severe coughs and colds * * * a serious hacking cough * * * A very bad cold and was forever sneezing and coughing," (booklet) "Hoarseness, Bronchitis, Grippe Cough, Croup, Whooping Cough and Measles Cough; also to relieve cough of asthmatic and consumptive patients in incipient or advanced stages of their disease * * * the catarrhal cold moves to the chest; hoarseness and soreness increase; and the loose or dry racking cough develops. Use, in time, the most worthy of all cough remedies, Dr. Bull's Cough Syrup Quick relief; soothing of congested bronchial tubes and lungs; control of cough; and, finally, no cough will be the reward. It is the true cough-and-cold doctor."

Analysis by the Bureau of Chemistry of this department of a sample of the article showed that it consisted essentially of ammonium chloride, extracts of plant drugs including ipecac, alcohol, sugar and water.

Misbranding of the article was alleged in the libel for the reason that the above quoted statements borne on the bottle containing the said article, regarding its curative and therapeutic effects, were false and fraudulent, since the said article did not contain any ingredient or combination of ingredients capable of producing the effects claimed.

On October 13, 1926, W. Stram McCurley, trustee of the estate of A. C. Meyer, trading as A. C. Meyer & Co., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$250, conditioned in part that it be relabeled under the supervision of this department.

W. M. JARDINE, *Secretary of Agriculture.*

14716. Adulteration of shell eggs. U. S. v. 6 Cases of Eggs. Consent decree of condemnation and forfeiture. Product released under bond.
(F. & D. No. 21359. I. S. No. 13917-x. S. No. C-5248.)

On October 15, 1926, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 6 cases of eggs, remaining in the original packages at Cincinnati, Ohio, consigned October 12, 1926, by Tarter Bros. & Trimble Co., Norfleet, Ky., alleging that the article had been shipped from Norfleet, Ky., in interstate commerce into the State of Ohio, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "From Tarter Bros. & Trimble Norfleet, Ky."

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid animal substance.

On or about October 28, 1926, Tarter Bros. & Trimble, claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was

ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and execution of a bond in the sum of \$100, conditioned in part that it be salvaged under the supervision of this department.

W. M. JARDINE, *Secretary of Agriculture.*

14717. Misbranding of Bowman's abortion remedy. U. S. v. 11 Packages of Bowman's Abortion Remedy. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 20546. I. S. No. 5246-x. S. No. E-5515.)

On November 2, 1925, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 11 packages of Bowman's abortion remedy, remaining in the original unbroken packages at Shelburne Falls, Mass., alleging that the article had been shipped by the Erick Bowman Remedy Co., from Owatonna, Minn., October 9, 1925, and transported from the State of Minnesota into the State of Massachusetts, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: "Bowman's Abortion Remedy."

Analysis by the Bureau of Chemistry of this department of a sample of the article showed that it consisted essentially of a mixture of brown sugar and wheat shorts, with traces of calcium and sulphur compounds and a phenolic substance.

Misbranding of the article was alleged in the libel for the reason that the statements "Bowman's Abortion Remedy" and "This package contains one 9½-pound treatment of Bowman's Abortion Remedy. Read the directions carefully before administering," regarding the curative and therapeutic effects of the said article, were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed.

On November 1, 1926, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

14718. Adulteration and misbranding of vinegar. U. S. v. Barrett & Co. Plea of guilty. Fine, \$30. (F. & D. No. 16245. I. S. Nos. 3465-t, 3561-t.)

On October 3, 1922, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Barrett & Co., a corporation, Minneapolis, Minn., alleging shipment by said company, in violation of the food and drugs act as amended, on or about August 18, 1920, from the State of Minnesota into the State of North Dakota, and on or about August 26, 1920, from the State of Minnesota into the State of Wisconsin, of quantities of maize sugar vinegar which was adulterated and misbranded. The article was labeled in part: "Barrett & Company Minneapolis, Minn. Maize Sugar Fermented Vinegar."

Adulteration of the article was alleged in the information for the reason that a substance, to wit, distilled vinegar artificially colored, had been substituted in whole or in part for maize sugar fermented vinegar, which the article purported to be; for the further reason that it was an article inferior to maize sugar fermented vinegar, to wit, a product composed in whole or in part of distilled vinegar; for the further reason that it was artificially colored with caramel so as to simulate the appearance of maize sugar fermented vinegar, and in a manner whereby its inferiority to maize sugar fermented vinegar was concealed.

Misbranding was alleged for the reason that the statement, to wit, "Maize Sugar Fermented Vinegar," borne on the barrels containing the article, was false and misleading, in that the said statements represented that the article was maize sugar fermented vinegar and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was maize sugar fermented vinegar, whereas it was not but was a product composed in whole or in part of distilled vinegar artificially colored. Misbranding was alleged for the further reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On October 22, 1926, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$30.

W. M. JARDINE, *Secretary of Agriculture.*

- 14719. Misbranding of butter. U. S. v. 200 Cases, et al., of Butter. Decrees of condemnation and forfeiture entered. Product released under bond.** (F. & D. Nos. 21105, 21131. I. S. Nos. 4088-x, 4091-x. S. Nos. C-5100, C-5172.)

On or about April 30 and May 24, 1926, the United States attorney for the Eastern District of Louisiana, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 215 cases of butter, remaining in the original unbroken packages at New Orleans, La., alleging that the article had been shipped by the McComb Creamery & Ice Cream Co., McComb, Miss., in part on or about April 15, 1926, and in part on or about May 20, 1926, and transported from the State of Mississippi into the State of Louisiana, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: (Carton) "Shamrock Creamery Butter * * * McComb Creamery & Ice Cream Co. * * * McComb-Miss. One Pound Net."

It was alleged in substance in the libels that the article was short weight and was misbranded, in that the statement "One Pound Net," borne on the label, was false and misleading and deceived and misled the purchaser, and for the further reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

The McComb Creamery & Ice Cream Co., McComb, Miss., having appeared as claimant for the property and having admitted the allegations of the libels, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of bonds in the sum of \$2,200, conditioned in part that it be reworked and reconditioned in compliance with the law, and that it not be sold or disposed of without being inspected by a representative of this department. On August 25, 1926, final orders were entered releasing the said butter.

W. M. JARDINE, *Secretary of Agriculture.*

- 14720. Misbranding of olive oil. U. S. v. A. Giurlani & Bro. Plea of guilty. Fine, \$102.** (F. & D. No. 19774. I. S. Nos. 10489-x, 14627-v, 14628-v.)

At the July, 1926, term of the United States District Court within and for the Northern District of California, the United States attorney for said district, acting upon a report by the Secretary of Agriculture, filed in the District Court aforesaid an information against A. Giurlani & Bro., a corporation, San Francisco, Calif., alleging shipment by said company, in violation of the food and drugs act as amended, in various consignments, on or about March 27, April 3, and October 16, 1925, respectively, from the State of California in part into the State of Washington and in part into the State of Utah, of quantities of olive oil which was misbranded. The article was labeled in part: (Can) "Net Contents One Gallon" (or "Net Contents One Half Gallon") "Guaranteed Imported Pure Virgin Olive Oil * * * A Giurlani & Bro. San Francisco, Cal."

Misbranding of the article was alleged in the information for the reason that the statements, to wit, "Net Contents One Gallon," and "Net Contents One Half Gallon," borne on the respective sized cans containing the article, were false and misleading, in that the said statements represented that the cans contained 1 gallon or $\frac{1}{2}$ gallon of olive oil, as the case might be, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that the cans contained 1 gallon or $\frac{1}{2}$ gallon of olive oil, as the case might be, whereas the said cans did not each contain the declared amount but did contain a less amount. Misbranding was alleged for the further reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On September 30, 1926, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$102.

W. M. JARDINE, *Secretary of Agriculture.*

- 14721. Adulteration of canned sardines. U. S. v. 30 Cases of Sardines. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 20420. I. S. No. 6501-x. S. No. E-5493.)

On September 8, 1925, the United States attorney for the Western District of North Carolina, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 30 cases of sardines, at Winston-Salem, N. C.,

alleging that the article had been shipped by the Maine Cooperative Sardine Co., Eastport, Me., July 22, 1925, and transported from the State of Maine into the State of North Carolina, and charging adulteration in violation of the food and drugs act.

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed, or putrid animal substance.

On October 11, 1926, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

14722. Misbranding of Moorite mineral powder. U. S. v. 32 Packages, et al., of Moorite Mineral Powder. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 20969, 20970, 21024. I. S. Nos. 10671-x, 10672-x, 10674-x, 10675-x, 10784-x, 10785-x. S. Nos. W-1930, W-1931, W-1961.)

On March 29 and April 19, 1926, respectively, the United States attorney for the Northern District of California, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels, and on April 10, 1926, amended libels in certain instances, praying seizure and condemnation of one hundred and sixteen 4-ounce packages and seven hundred and twenty-six 1-pound packages of Moorite mineral powder, in various lots at Petaluma, Santa Rosa, and Sacramento, Calif., respectively, alleging that the article had been shipped by the Moorite Products Co., from Seattle, Wash., between the dates of February 2, 1925, and January 23, 1926, and transported from the State of Washington into the State of California, and charging misbranding in violation of the food and drugs act as amended.

Analysis by the Bureau of Chemistry of this department of a sample of the article showed that it consisted of clay.

It was alleged in the libel that the article was misbranded, in that the following statements regarding the curative and therapeutic effects of the said article were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed: (Carton, both sizes) "contains wonderful Healing Properties and when properly applied equal the best Medicinal Springs * * * Take * * * in any quantity the system may require * * * especially recommended for the treatment of Rheumatism, Neuralgia, Neuritis, Indigestion, Stomach Trouble, Kidney and Liver Trouble, Catarrh, Varicose Veins, Burns, Scalds, in fact all inflamed conditions * * * Purifies the Blood, Aids Digestion Eliminates Bowel and Stomach Gases, Relieves Aches and Pains, Unequalled for Scalds and Burns," (circular, both sizes) "General Directions For Using Moorite * * * In Treating Disease * * * the body requires time to overcome the injuries of perhaps years of wrong living. Because health does not follow in a few days or weeks, Moorite must not be considered a failure. In many cases it must be repeated over and over again until health is attained. The principle of cure is correct and the results are uniform if the method and directions are correctly followed. * * * Remember, There Are Many Diseases But Few Causes. The Object Is To Remove The Cause * * * Indigestion * * * If the Moorite Water makes your kidneys unusually active or causes dizziness, your body is simply taking more oxygen than it can assimilate, in which case the amount should be reduced for a time * * * Rheumatism * * * Catarrh and Hay Fever * * * The eyes, ears and the glands of the throat are controlled by the adenoid gland. Take care of the glands * * * and all other affections will disappear. Sore Eyes and Failing Eyesight * * * Goitre, Tonsillitis and Croup * * * Asthma, Pleurisy, Pneumonia, Chest Colds and Bronchitis * * * Ulcers, Blood Poison, Boils and Old Running Sores * * * Influenza and Grippe * * * Bowel and Stomach Trouble and Anemia * * * Kidney Diseases * * * Erysipelas, Eczema and Skin Eruptions * * * Bruises, Sprains and Scalds. Pyorrhea * * * Toothache * * * Hemorrhoids (Piles) * * * Varicose Veins and Sore Feet * * * Female Weakness * * * Appendicitis * * * In about half an hour or so the pain will stop. Then massage the abdomen in a circular motion from right to left. Then keep in motion until the bowels move. Paralysis and Locomotor Ataxia * * * There is a wide difference of opinion as to the cause of paralysis, but constipation is considered the main cause. Locomotor Ataxia is a nervous disease caused by draining the vital forces from indulgence, or burning the candle at both ends, drink-

ing coffee, tea, wine, or liquor, and using tobacco, etc. * * * colds on lungs, sciatic rheumatism, lumbago, pneumonia, etc. To reduce temperature in fevers * * * for * * * skin rashes," (testimonial sheet, inclosure)

"Freed Of Rheumatism By Moorite * * * Relieved By Famous Remedy After Spending Two Months in Hospital * * * curing him of a stubborn case of rheumatism which had made his life a burden for months. Although he spent two months in the hospital and had had his teeth extracted, he could find no relief until he heard of Moorite * * * The wonderful relief I received in a few days was amazing * * * to anyone suffering from rheumatism * * * I owe my health today to Moorite and I want sufferers to use it and recover as I have done. * * * pleased to recommend Moorite after using it for varicose veins, swollen limbs and ankles. I * * * give a great deal of credit to Moorite * * * used Moorite and for scalds and burns, have not found its equal. * * * this wonderful remedy * * * I had suffered so from pyorrhea that I could not eat a peanut or take a bite of apple. But three days after using Moorite I could eat anything. I am now taking Moorite internally to cleanse my system completely * * * cured my daughter of skin trouble * * * the results * * * obtained were wonderful * * * could not lay a hot towel on her face so sore and tender was her skin, but after a few applications of Moorite she was completely cured * * * Recommend Moorite to pyorrhea sufferers * * * Great Remedy Relieved * * * of Chronic Stomach Trouble and Pyorrhea * * * suffers from stomach trouble and pyorrhea * * * I have been troubled with pyorrhea and stomach trouble for about 15 years * * * I have spent hundreds of dollars searching for relief, but I never found it until taking Moorite * * * my stomach is feeling fine and my pyorrhea is fast disappearing. Anyone troubled with these painful diseases will realize how grateful I am * * * I recommend Moorite to all sufferers such as I was * * * After seven years of suffering with stomach trouble * * * is now completely cured. Not only did he have stomach trouble, but rheumatism as well. Now he is restored to his former health * * * To have a worn out, tired feeling, to be in such health that to work was a burden and with a desire to remain in bed instead of feeling the bountiful flow of life * * * dragged along for years * * * After taking one * * * can he felt like a new man and today is the picture of health. Moorite gives all the benefits to be derived from mineral springs secured by using nature's own remedy at home. * * * anyone feeling depressed * * * need not take one chance * * * Pyorrhea Can Be Banished! The personal experience of users is proving this true every day * * * completely cured of pyorrhea * * * was told by * * * dentists that I would have to have my teeth pulled * * * Urged by this need, I began taking Moorite, and also using Moorite Pyorrhea Powder for treating the gums. The result is that I have saved my teeth. * * * I never found no other medicine that did such wonders as it has for me. I have been for the last eighteen months with sores breaking out on my body and have tried many other so-called medicines, but none seemed to have any effect * * * within two weeks I began to take it the sores were completely healed up and I feel almost a new man, and I am giving Moorite full credit for the health I now have. So I advise one and all who need a blood purifier to give this wonderful medicine a fair trial * * * I had my fingers badly torn with a rusty cable, causing an infection and open sores. My fingers would crack open and I doctored for years trying to get them healed up. The doctors called it chronic eczema, the blood would just run from my fingers. But the doctors could give me nothing to heal them up. * * * after using less than one * * * can of Moorite, I was completely cured. * * * hope that other sufferers may be cured as I have by the use of Moorite. * * * I have talked Moorite to everyone I meet that is ailing. * * * the best thing for burns and for soreness in lungs; it beats all," (circular, enclosed in shipping, case)

"Disease Goes * * * Health's Secret New Health Message * * * A simple truth has won back health for people who have never drawn a well breath in years. Learning just one fact has banished sickness in hundreds of cases where thousands of dollars and months or years of time spent, brought no relief; has put people on their feet who were bedridden for years; has freed them from suffering and pain and made them again know the happiness of perfect health and robust body. * * * No matter what you suffer from, how long you have been sick, how weak and rundown you may be, how hopeless your case may seem; no matter what name the doctors have given your

trouble come and hear this simple truth—It will cost you nothing and it may be your salvation. * * * our bodies can be reduced to about twenty basic chemical elements * * * Your stomach with the help of other organs serves as a laboratory which extracts these chemicals from the foods you eat. When these elements are present in your body in their correct proportion, you are healthy, but when thru some cause or other your body is not supplied with enough of one or more of these life-giving chemicals in its correct proportion, then trouble commences. You become weak or run-down—perhaps the germs which your well body was able to fight and throw off get a foothold. Then, certain symptoms develop and the doctors say you have this disease or that disease. The Moorite Laboratory has demonstrated * * * that almost all diseases spring from the same cause—lack of one or more of the twenty basic chemical elements. Replace the needed element in your body and quick recovery of health and strength will frequently follow. * * * The Way to Glorious Health Moorite contains many of the most precious of life-giving chemicals—but that is not all. Experimentations covering years of time and proved by hundreds of cases show that Moorite thru a remarkable action stimulates the stomach and other organs to extract the deficient elements from the food one eats so that soon after you start taking Moorite your body regains its correct chemical adjustments, and stubborn sickness vanishes and the body recovers its old health and strength. The above seems so incredible that we can understand that at first it will seem almost impossible to you * * * hear all of the facts * * * marvelous cures effected by the use of Moorite * * * hundreds of testimonials from people whose lives have been saved by the use of Moorite * * * ‘We are so sure of what Moorite will do in banishing disease and restoring health that we will take all the chance * * * if it does not help you your money will be refunded’ * * * Moorite has brought glorious health to hundreds of sufferers from stomach and kidney troubles, blood impurities and other ailments,” (testimonials) “I was Relieved of Stomach Trouble After 20 years of Suffering * * * this great remedy * * * was guaranteed to relieve stomach trouble * * * When I learned that Moorite was an acknowledged stomach remedy I decided to give it a trial. * * * I have been so well and strong since * * * a sufferer of a very serious case of stomach trouble and rheumatism for seven years. * * * was worn out and in such poor health that work was a burden * * * forced to spend much of his time in bed * * * tried Moorite and stomach trouble and rheumatism vanished and he is now robust and in perfect health and never misses a day’s work. * * * I am thankful to Moorite for restoring me to health, if not actually saving my life. Without it I was destined to continue in ill health, a discouraging view of life and despair. Now I am feeling fit and fine and can thank Moorite for what it has done. * * * my stomach had bothered me so badly for five years that I could not sleep well and could not enjoy my meals. Every time I ate anything I was distressed. I had boils all over my face and body and I was so sore that I felt uncomfortable all the time. * * * My case was * * * nervous prostration. I was threatened with nervous paralysis. I had kidney trouble. I was just a nervous wreck. I got so bad I was confined to my bed, and suffered terribly. * * * began its use with astonishing results * * * to anyone suffering from nervousness that Moorite is worthy of a thorough trial. I owe my health today to Moorite.”

On November 9, 1926, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

14723. Misbranding of Montague's petroleum emulsion with hypophosphites. U. S. v. 31 Bottles of Montague's Petroleum Emulsion. Default decree of condemnation, forfeiture, and destruction. (F. & D. Nos. 16173, 16174. S. No. E-3860.)

On April 27, 1922, the United States attorney for the Western District of North Carolina, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 31 bottles of Montague's Petroleum emulsion with hypophosphites, at Winston-Salem, N. C., alleging that the article had been shipped in interstate commerce by the J. Kyle Montague Medicine Co., from Rocky-mount, Va., March 22, 1921, into the State of North Carolina, and charging misbranding in violation of the food and drugs act as amended.

Analysis by the Bureau of Chemistry of this department of a sample of the article showed that it consisted essentially of an emulsion of petroleum, oil, alcohol, water, gum, sodium and calcium hypophosphites, and a trace of an iron compound.

It was alleged in substance in the libel that the article was misbranded, in that the label was false and fraudulent, since it claimed curative and therapeutic effects following its use in the treatment of coughs, colds, bronchitis, sore lungs, loss of weight or appetite, and in building up nerve tissues, and for tuberculosis of the lungs, whereas it contained no ingredient or combination thereof capable of producing the effects claimed.

On October 11, 1926, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

14724. Misbranding of Dr. McMichael's Allgland with radium. U. S. v. 16 Dozen Boxes of Dr. McMichael's Allgland With Radium. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 21164. I. S. No. 10564-x. S. No. W-1994.)

On July 13, 1926, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 16 dozen boxes of Dr. McMichael's Allgland with radium, remaining in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped by the Carnotite Gland Extract Co., from Denver, Colo., August 30, 1924, and transported from the State of Colorado into the State of California, and charging misbranding in violation of the food and drugs act as amended.

Analysis by the Bureau of Chemistry of this department of a sample of the article showed that the tablets contained 91 per cent of milk sugar, together with talc, a trace of nitrogenous organic matter, and a faint trace of radium.

Misbranding of the article was alleged in substance in the libel for the reason that the following statements borne on the box label and in the accompanying booklet: (Box label) "Allgland * * * The Great Body Builder Makes You Feel Younger * * * A Gland And Body Food Eliminating, Preventing And Correcting All Diseases Caused By Over Work, Nervous Or Run-down Conditions Makes You A Healthy Man, Woman, Or Child," (booklet) "in all weakened or rundown condition of the Human Glands, Muscles and Nerves * * * Now we are sure of the results in the relief or prevention of most all diseases. * * * stimulates the nerves, muscles and glands. * * * gives * * * relief to all mankind, makes you Stronger, More Vigorous, More Peppy * * * They sure make stronger men and women. If You Are A Man and lack the Vigor, Energy and Push you should have; if you feel older than you should; if suffering from any after effects of any disease—flu, pneumonia, overwork or nervous breakdown—you will find relief in our Allgland Tablets: * * * As a rejuvenator for man or woman * * * If You Are A Woman you may suffer from some of the ills peculiar to your sex, such as weakness, irregularities, despondency or lack of energy. If so you will find Allgland Tablets the true remedy for any female trouble. Also Fibroid Tumors, Inflammations, Enlargement of the Neck, Irregular Monthlies, Hot Flashes, feeling as though you would blow up, urinating too often, and, in fact, any and all diseases coming on at any time of life, old or young. Take one tablet every three hours until a feeling of relief, which is from two to four days, then a tablet three times a day kept up for a long time. Where there is or might develop a cancerous condition, write the medical director. Most women as they enter the fortieth year of age commence a change of gland action. This stopping of the action of some glands causes nature to start up more action in some other glands. Nature sometimes does not do this, for the reason that the right gland food is not supplied, or if supplied, is not in a form to be taken into the system, or from this same cause, may overwork some other gland, thereby creating a greater unbalance, so that nervous diseases and others start. There will be hot flashes, nervousness or neurosis of all nerves. The mind gets weak but excitable. Fibroid tumors, etc., may start. If these patients will take Allgland steadily for a few years they will pass through this time of life without trouble. They will prevent as well as relieve all such troubles. If You have a daughter or son who is troubled with Pimples On The Face they will get relief by taking Allgland Tablets. * * * The cause of this trouble is a Glandular Unbalance, showing that they are not developing

as they should. The correcting of this trouble by Nature's Remedy, Allgland Tablets, does more good and prevents other troubles in later years. Lack of Development in Children * * * A child that overgrows shows that the glandular system is unbalanced just as much as an undergrowth does, and the same treatment applies to both. If you are all run-down and worn out, take two tablets before meals and at bedtime. They will make you a stronger man or woman and will make you feel younger. * * * As soon as you notice relief * * * Being a food to the body, nerves, blood and glands, it corrects diseases. It prevents diseases or it gives relief in all diseased conditions. It has proved very successful in Diabetes, Bright's Disease, Hardened Blood Vessels, High Blood Pressure, getting old too soon, all Rundown Conditions from diseases or overwork or worry, Hot Flashes or any Female Trouble. The best thing for Goitre in young women, a real developer of children both in body and brain and a real rejuvenator. They make you a healthy, real man, woman and child. If anything ails you take them, they will do no harm," were false and fraudulent, since the said article contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed.

On November 5, 1926, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

14725. Adulteration of canned salmon. U. S. v. 2,900 Cases of Salmon. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21299. I. S. No. 907-x. S. No. W-2019.)

On September 20, 1926, the United States attorney for the District of Oregon, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 2,900 cases of canned salmon, remaining in the original unbroken packages at Portland, Oreg., alleging that the article had been shipped by the Bristol Bay Packing Co., from Naknek, Alaska, on or about August 8, 1926, and transported from the Territory of Alaska into the State of Oregon, and charging adulteration in violation of the food and drugs act.

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed, or putrid animal substance.

On November 6, 1926, the Bristol Bay Packing Co. having appeared as claimant for the property and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$11,500, conditioned in part that it be made to conform with the law under the supervision of this department.

W. M. JARDINE, *Secretary of Agriculture.*

14726. Misbranding of meat scrap. U. S. v. 350 Bags of Wheat (Meat) Scrap. Product released under bond to be relabeled. (F. & D. No. 20959. I. S. No. 10662-x. S. No. W-1928.)

On March 24, 1926, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 350 bags of wheat (meat) scrap, remaining in the original unbroken packages at Petaluma, Calif., alleging that the article had been shipped by J. T. Stanley Co., Inc., from New York, N. Y., January 29, 1926, and transported from the State of New York into the State of California, and charging misbranding in violation of the food and drugs act as amended. The article was invoiced as "25 tons 45-50% Protein Meat Scraps."

It was alleged in the libel that the article was misbranded, in that it was sold under the distinctive name of another article, namely, "45-50% Protein." Misbranding was alleged for the further reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On August 13, 1926, the Hart-Hill Grain Co., San Francisco, Calif., having appeared as claimant for the property and having relabeled the product and given bond for its release, it was ordered by the court that the said product be delivered to the claimant.

W. M. JARDINE, *Secretary of Agriculture.*

14727. Adulteration of pears. U. S. v. 78 Boxes and 454 Boxes of Pears. Decree of condemnation and forfeiture entered. Product released under bond. (F. & D. No. 21304. S. No. E-5871.)

On September 30, 1926, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 532 boxes of pears, remaining in the original unbroken packages at Boston, Mass., alleging that the article had been shipped by the Suncrest Orchards, Inc., Medford, Oreg., and transported from the State of Oregon into the State of Massachusetts, and charging adulteration in violation of the food and drugs act. The article was labeled: "Glen Rosa Brand" or "Glen Ivy Brand."

It was alleged in the libel that the article was adulterated, in that a substance had been mixed and packed therewith so as to reduce, lower and injuriously affect its quality and strength; in that a substance had been substituted in part for the said article; in that a substance had been mixed therewith in a manner whereby damage and inferiority was concealed, and in that it contained an added poisonous or other added deleterious ingredient, which might have rendered it injurious to health.

On November 4, 1926, S. Strock & Son, Boston, Mass., having appeared as claimant for the property and having admitted the allegations of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$3,000, conditioned in part that it be reconditioned under the supervision of this department so that it would contain no poisonous or other deleterious ingredient which would render it injurious to health.

W. M. JARDINE, *Secretary of Agriculture.*

14728. Adulteration and misbranding of ether. U. S. v. One Hundred ¼-Pound Cans, et al., of Ether. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21031. I. S. No. 12104-x. S. No. C-5073.)

On April 29, 1926, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of one hundred ¼-pound cans, eighteen ½-pound cans and thirty-five 5-pound cans of ether, at Chicago, Ill., alleging that the article had been shipped by Merck & Co., from St. Louis, Mo., March 30, 1923, and transported from the State of Missouri into the State of Illinois, and charging adulteration and misbranding in violation of the food and drugs act.

Analysis by the Bureau of Chemistry of this department of a sample of the article showed that it contained peroxide, aldehyde, excessive acid, and non-volatile matter.

Adulteration of the article was alleged in the libel for the reason that it had been sold under a name recognized in the United States Pharmacopœia, and differed from the standard prescribed by said pharmacopœia. Adulteration was alleged for the further reason that the article had been sold as ether, whereas it fell below the professed standard under which it was sold.

Misbranding was alleged for the reason that the statement on the label, "This ether has been prepared with unusual care and is especially suitable for use in anesthesia by the 'Cone method.' It is purer * * * than the U. S. Pharmacopœia, Ninth Revision, requires," was false and misleading.

On October 14, 1926, Merck & Co., New York, N. Y., claimant, having admitted, for the purpose of the proceeding, the material allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs and the execution of a bond in the sum of \$1,000, conditioned in part that it be reprocessed or relabeled under the supervision of this department, and that it not be disposed of in any manner contrary to law.

W. M. JARDINE, *Secretary of Agriculture.*

14729. Adulteration of pistachio nuts. U. S. v. 6 Cases of Shelled Pistachio Nuts. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21384. I. S. No. 14868-x. S. No. E-5908.)

On November 19, 1926, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and

condemnation of 6 cases of shelled pistachio nuts, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped from Karachi, India, June 18, 1926, and transported from a foreign country into the State of New York, and charging adulteration in violation of the food and drugs act.

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a filthy, decomposed, and putrid vegetable substance.

On November 30, 1926, David L. Silverman, New York, N. Y., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$400, conditioned in part that the good nuts be separated from the bad, and the bad portion denatured or destroyed.

W. M. JARDINE, *Secretary of Agriculture*.

14730. Misbranding of Moore's Liver-Ax. U. S. v. 7 Cases of Moore's Liver-Ax. Default decree of condemnation, forfeiture and destruction.
(F. & D. No. 20940. I. S. No. 12132-x. S. No. C-4993.)

On March 20, 1926, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 7 cases of Liver-Ax, remaining in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped by the Mount Grove Grocery Co., from Mount Grove, Mo., February 9, 1926, and transported from the State of Missouri into the State of Illinois, and charging misbranding in violation of the food and drugs act as amended.

Analysis by the Bureau of Chemistry of this department of a sample of the article showed that it was an extract of laxative plant drugs in a mixture of water and alcohol.

Misbranding of the article was alleged in the libel for the reason that the following statements, regarding the curative or therapeutic effects of the said article, borne on the label: (Bottle) "Liver-Ax Acts On The Liver * * * An invaluable Remedy for the Treatment of Liver Disorders, Billiousness * * * Headache, Indigestion and Stomach Troubles Better Than Calomel * * * For Habitual Constipation * * * to produce healthy action until bowels are regulated * * * For Headaches, Colds and Fever * * * For Indigestion," (carton) "It Touches The Spot" * * * Liver-Ax Acts On The Liver * * * A Key To The Liver * * * Of Known Relief In Cases Of * * * Biliousness Indigestion Sick Headaches And Stomach Complaints," (similar statements in foreign languages) "Sensible People No longer use Calomel * * * they can get the same results that Calomel will give, by taking Moore's Liver-Ax * * * There Is Life and Health in every drop * * * Nobody can be perfectly happy without good health. Half sick people by the score go through life disheartened and not conscious of the fact that relief can be secured and their burden made lighter. Nearly always the source of sickness can be attributed to a diseased condition of the Liver. The way to overcome this and be well and strong is to keep a bottle of Moore's Liver-Ax always in reach. * * * We know that if your Liver is not acting as it should, that you need Moore's Liver-Ax, it will do you more good than anything else, it will not only turn your liver over, but it will tone it up," (circular) "This preparation is one of unusual merit * * * giving the public more and better relief than * * * using harsh and frequently very dangerous drugs, whose only relief at the best can be but temporary, and whose effect is but to aggravate the system by over-exertion, thereby leaving it in a weakened condition. * * * action is identical with the action of calomel * * * It has long been a mistaken idea that calomel is the only medicine that would cause the liver to throw off its excess bile and clean out the decomposed matter from the bowels and intestines. Moore's Liver-Ax will do this and do it better * * * without the users having to restrict themselves as to diet and habits. Very often the use of calomel and pills, which are oftentimes more harmful than calomel, while giving perhaps temporary relief, will have a tendency to constipate the system, rather than cure Constipation, by over-exerting the organs, shocking the liver and leaving it in a very sluggish and inactive condition, and nature generally depressed. It is positively criminal to use castor oil when you can secure a better preparation * * * Epsom Salts

is of little value, as it does not touch the liver. Moore's Liver-Ax is a perfect substitute for the drugs, acts better, and is better. It will tone up the system and give new life to the organs, assists nature and gives strength and vitality to the liver. * * * If * * * your system is congested * * * this preparation will relieve this condition * * * Chronic Constipation is frequently the result of too often use of powerful drugs such as calomel, pills that are composed of poisonous and hard-acting drugs that have a tendency to disorder the bowels rather than keep them in a healthy and regular action. Moore's Liver-Ax acts gently but surely, assisting nature and strengthening the organs that have been overworked and weakened. For Chronic Constipation. * * * For headaches, dizziness and swimming in the head * * * For colds * * * Children should be given this preparation for their little ailments instead of calomel * * * give them just enough to produce desired results," (similar statements in foreign languages) were false and fraudulent, in that the said statements were applied to the article so as to represent falsely and fraudulently to purchasers thereof, and create in the minds of such purchasers, the belief that the said article would be effective as a remedy for the several diseases, ailments and afflictions mentioned upon the labels, whereas, in truth and in fact, it contained no ingredients or medicinal agents effective for the said purposes.

On November 4, 1926, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

14731. Adulteration of canned salmon. U. S. v. 665 Cases of Salmon. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 20994. I. S. No. 1298-x. S. No. C-5064.)

On April 2, 1926, the United States attorney for the Southern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 665 cases of canned salmon, remaining in the original unbroken packages at Peoria, Ill., consigned by the Kansas City Wholesale Grocer Co., Kansas City, Mo., alleging that the article had been shipped in interstate commerce from Kansas City, Mo., into the State of Illinois, on or about November 21, 1925, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Bering Sea Brand Alaska Red Salmon Packed By Red Salmon Canning Co."

Adulteration of the article was alleged in the libel for the reason that it consisted wholly or in part of a filthy, decomposed, or putrid animal substance.

On September 11, 1926, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

14732. Adulteration of butter. U. S. v. 27 Tubs of Butter. Product released under bond to be reworked. (F. & D. No. 21287. I. S. No. 2291-x. S. No. C-5235.)

On or about August 27, 1926, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 27 tubs of butter, at Cleveland, Ohio, alleging that the article had been shipped by the Land O'Lakes Creameries, Inc., Minneapolis, Minn., on or about August 13, 1926, and transported from the State of Minnesota into the State of Ohio, and charging adulteration in violation of the food and drugs act.

Adulteration of the article was alleged in the libel for the reason that a product which contained less than 80 per cent by weight of milk fat had been substituted for butter, a product which should contain not less than 80 per cent by weight of milk fat as prescribed by the act of March 4, 1923, which the said article purported to be.

On September 23, 1926, the Land O'Lakes Creameries, Inc., Minneapolis, Minn., claimant, having paid the costs of the proceedings and having reworked the product under the supervision of this department so that it had a milk fat content of not less than 80 per cent, it was ordered by the court that the bond theretofore executed by the claimant be exonerated.

W. M. JARDINE, *Secretary of Agriculture.*

14733. Adulteration of butter. U. S. v. 14 Boxes of Butter. Consent decree entered ordering product released under bond to be reworked. (F. & D. No. 21297. I. S. No. 2285-x. S. No. C-5236.)

On or about August 27, 1926, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 14 boxes of butter, at Cleveland, Ohio, alleging that the article had been shipped by the A. G. Creamery Co., Arcadia, Wis., on or about August 5, 1926, and transported from the State of Wisconsin into the State of Ohio, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated, in that a product which contained less than 80 per cent by weight of milk fat had been substituted for butter, a product which should contain not less than 80 per cent by weight of milk fat as prescribed by the act of March 4, 1923, which the said article purported to be.

On September 27, 1926, the A. G. Creamery Co., Arcadia, Wis., claimant, having admitted the allegations of the libel and having consented to the entry of an order in conformance with the prayer of the said libel, a decree was entered, ordering that the product be released to the claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$700, said decree providing further that the product be reworked under the supervision of this department to contain not less than 80 per cent by weight of milk fat.

W. M. JARDINE, *Secretary of Agriculture.*

14734. Adulteration and misbranding of butter. U. S. v. 115 Boxes of Butter. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21276. I. S. No. 2267-x. S. No. C-5205.)

On August 6, 1926, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 115 boxes of butter, at Cleveland, Ohio, alleging that the article had been shipped by Swift & Co., from Des Moines, Iowa, on or about July 23, 1926, and transported from the State of Iowa into the State of Ohio, and charging adulteration and misbranding in violation of the food and drugs act.

Adulteration of the article was alleged in the libel for the reason that a product which contained less than 80 per cent by weight of milk fat had been substituted for butter, a product which should contain not less than 80 per cent by weight of milk fat as prescribed by law.

Misbranding was alleged for the reason that the statement "Butter," borne on the packages containing the article, was false and misleading, in that the said statement represented that the article consisted wholly of butter, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it consisted wholly of butter, whereas it did not so consist but did consist of a product deficient in milk fat. Misbranding was alleged for the further reason that the statement "Butter," borne on the label, was false and misleading, in that it represented that the article was butter, to wit, a product which should contain not less than 80 per cent by weight of milk fat as prescribed by law, whereas it contained less than 80 per cent by weight of milk fat.

On September 8, 1926, Swift & Co. having appeared as claimant for the property and having admitted the allegations of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$500, conditioned in part that it be reworked in compliance with the requirements of the law.

W. M. JARDINE, *Secretary of Agriculture.*

14735. Adulteration of walnuts in shell. U. S. v. 10 Bags of Walnuts In Shell. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 21368. I. S. Nos. 13833-x, 13835-x. S. No. E-5896.)

On November 10, 1926, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 10 bags of walnuts in shell, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the Albany Grocery Co., from Albany, Ga., June 30, 1926,

and transported from the State of Georgia into the State of New York, and charging adulteration in violation of the food and drugs act. A portion of the article was labeled: "New B. Crop King Cole Budded Walnuts Selected & Packed By B. D. I. Co., Inc." The remainder of the said article was labeled in part: "D. P. 5 Albany Grocery Co., Albany, Ga."

It was alleged in the libel that the article was adulterated, in that it consisted in part of a filthy, decomposed, and putrid vegetable substance.

On November 30, 1926, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

14736. Adulteration and misbranding of butter. U. S. v. 20 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21358. I. S. No. 3436-x. S. No. C-5244.)

On October 6, 1926, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 20 tubs of butter, remaining in the original unbroken packages at St. Paul, Minn., alleging that the article had been shipped by the Bowdle Creamery & Produce Co., from Bowdle, S. Dak., October 2, 1926, and transported from the State of South Dakota into the State of Minnesota, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Bowdle Cry. Bowdle, S. D."

Adulteration of the article was alleged in the libel for the reason that a substance deficient in butterfat had been mixed and packed therewith so as to reduce or lower or injuriously affect its quality or strength, and had been substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the article was offered for sale under the distinctive name of another article, and for the further reason that it was food in package form and the quantity of the contents was not declared.

On October 16, 1926, the Minnesota Creamery & Produce Co., St. Paul, Minn., having appeared as claimant for the property and having consented to the condemnation and forfeiture of the property, judgment was entered, finding the allegations of the libel to be true and ordering release of the said product upon payment of the costs of the proceedings and the execution of a bond in the sum of \$500, conditioned in part that it be reworked under the supervision of this department.

W. M. JARDINE, *Secretary of Agriculture.*

14737. Misbranding of horse and mule feed. U. S. v. 72 Sacks of Horse and Mule Feed. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21341. I. S. No. 6545-x. S. No. E-5885.)

On October 26, 1926, the United States attorney for the Eastern District of North Carolina, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 72 sacks of horse and mule feed, remaining in the original unbroken packages at Wilmington, N. C., alleging that the article had been shipped by the Atlantic Milling Co., from Augusta, Ga., on or about August 30, 1926, and transported from the State of Georgia into the State of North Carolina, and charging misbranding in violation of the food and drugs act. The article was labeled in part: "Repeater Horse and Mule Feed Manufactured by Atlantic Milling Company, Augusta, Ga. Guaranteed Analysis Protein 10%."

It was alleged in the libel that the article was misbranded, in that the statement "Guaranteed Analysis Protein 10%," borne on the label, was false and misleading and deceived and misled the purchaser, since the product was deficient in protein.

On November 8, 1926, the Atlantic Milling Co., Augusta, Ga., having appeared as claimant for the property and having admitted the misbranding of the product, judgment of forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$100, conditioned in part that it not be sold or otherwise disposed of contrary to law.

W. M. JARDINE, *Secretary of Agriculture.*

14738. Misbranding of cottonseed cake. U. S. v. 450 Sacks of Cottonseed Cake. Product ordered released under bond. (F. & D. No. 21385. I. S. No. 1766-x. S. No. W-1670.)

On November 22, 1926, the United States attorney for the District of Wyoming, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 450 sacks of cottonseed cake, remaining in the original unbroken packages at Casper, Wyo., alleging that the article had been shipped from the Southland Cotton Oil Co., Waxahachie, Tex., on or about November 8, 1926, and transported from the State of Texas into the State of Wyoming, and charging misbranding in violation of the food and drugs act. The article was labeled in part: "Climax Brand Cotton Seed Cake And Meal * * * Analysis Crude Protein not less than 43%. Southland Cotton Oil Company, Paris, Texas."

Misbranding of the article was alleged in the libel for the reason that the label bore a statement that the contents of each of said sacks contained 43 per cent of protein, which said statement was false and misleading and deceived and misled the purchaser, since the contents of the said sacks did not contain 43 per cent of protein but did contain a smaller percentage of protein.

On November 26, 1926, the Southland Cotton Oil Co., Paris, Tex., having appeared as claimant for the property, an order was entered by the court providing for the release of the product to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,500, conditioned in part that it not be sold or otherwise disposed of contrary to law.

W. M. JARDINE, *Secretary of Agriculture.*

14739. Adulteration of ginger root. U. S. v. 40 Sacks of Ginger Root. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 21379. I. S. No. 14867-x. S. No. E-5905.)

On November 16, 1926, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 40 sacks of ginger root, remaining in the original unbroken packages at New York, N. Y., alleging that the articles had been shipped by D. Serra & Co., from Ponce, P. R., October 31, 1925, and transported from the Territory of Porto Rico into the State of New York, and charging adulteration in violation of the food and drugs act.

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a filthy, decomposed, and putrid vegetable substance. Adulteration was alleged for the further reason that the article was sold under a name recognized in the United States Pharmacopœia, and differed from the standard of strength, quality, or purity as determined by the test laid down in said pharmacopœia.

On December 3, 1926, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

14740. Adulteration of blanched split almonds. U. S. v. 2 Cases of Blanched Split Almonds. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 21377. I. S. No. 14532-x. S. No. E-5901.)

On November 15, 1926, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 2 cases of blanched split almonds, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by John F. Renshaw, from Mitcham, Surrey, England, October 15, 1925, and transported from a foreign country into the State of New York, and charging adulteration in violation of the food and drugs act.

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a filthy, decomposed, and putrid vegetable substance.

On December 2, 1926, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

14741. Adulteration of prunes. U. S. v. 78 Cases of Prunes. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 21370. I. S. No. 13842-x. S. No. E-5897.)

On November 11, 1926, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 78 cases of prunes, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the Hancock Grocery Co., from Winston-Salem, N. C., on or about October 22, 1926, and transported from the State of North Carolina into the State of New York, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (Shipping package) "Equality Brand California Prunes—Packed By California Prune And Apricot Growers Assn. Main Office: San Jose, California."

It was alleged in the libel that the article was adulterated, in that it consisted in whole or in part of a filthy, decomposed, or putrid vegetable substance.

On November 30, 1926, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

14742. Misbranding of Arium tablets. U. S. v. 6 Dozen Packages, et al., of Arium Tablets. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 21106 to 21110, incl. 21112, 21156. I. S. Nos. 10563-x, 11611-x, 11826-x, 11827-x, 11829-x, 11832-x. S. Nos. C-5164 to C-5168, incl. C-5170, W-1992.)

On or about June 14 and 28, 1926, respectively, the United States attorney for the Southern District of Ohio, on June 16, 18, and 19, 1926, respectively, the United States attorney for the District of Indiana, and on July 12, 1926, the United States attorney for the Northern District of California, acting upon reports by the Secretary of Agriculture, filed in the District Courts of the United States for said districts libels and subsequently amended libels in certain instances, praying seizure and condemnation of 49½ dozen boxes or packages of Arium tablets, in various lots at Cincinnati and Columbus, Ohio; Fort Wayne, Evansville and Indianapolis, Ind.; and San Francisco, Calif. It was alleged in the libels that the article had been shipped by the Associated Radium Chemists, Inc., from New York, N. Y., between the dates of February 16, 1926, and June 9, 1926, and that it had been transported from the State of New York into the States of Ohio, Indiana, and California, and that it was misbranded in violation of the food and drugs act as amended. The article was labeled in part: (Box label) "the most beneficial effects," (circular in box) "How Arium Works and What It Does Fully Explained Healing, Invigorating, Youth-Giving 'Substance of the Sun' Brings New Force to Sick and Ailing Amazing New Free Book (Fully Illustrated) Explains How All Weak, Afflicted and Worn-out Folks May Quickly Produce Vitalizing Internal Exercise of Every Gland and Organ—Banishing Aches, Pains and Distress—Restoring Strength, Energy and Power to Body and Brain. New data on stomach, kidney, liver, bladder, prostate, blood and nervous disorders as well as rheumatic ailments, all of which are now prevalent to a serious extent has been brought to light by scientists. This is fully explained in this amazing new book 'The Substance Of The Sun—Giver Of Supreme Vitality.' It means increased strength, power and endurance for men, renewed health, energy and beauty for women. Thousands are already obtaining most marvelous benefits. The Free Book gives special information to sufferers from Nervous Debility Neurasthenia, Premature Old Age, Infirmities, Headaches, Pressure in Back of Head and Neck, Irritability, Mental Depression, Prickly Sensations, Melancholy, Poor Memory, Rundown Condition, Lowered Vitality, Glandular Weakness, prostate Trouble, Absence of Full Vigor, Depleted 'Sex Force,' Lack of Control, Tired Feeling, Dull Ache at Base of the Spine and in Small of the Back, Pains in the Groins and Legs, Shaky Hands and Limbs, Weakened Will Power, etc. Blood Disorders Thin, Pale, Watery Blood, Anaemia. Poor Circulation, Congestion, High Blood Pressure, Hardening of the Arteries, Arterio-Sclerosis, Skin Eruptions, Loss of Weight, Excessive Flesh, Nervousness, Poor Appetite, etc. Rheumatic Ailments Neuritis, Neuralgia, Gout, Lumbago, Arthritis, Soreness in the Joints and Muscles, Aches, Pains, etc.—A Cause of Heart Disease, Stomach And Intestinal Troubles, Indigestion, Gas Flatulence, Bloating, Dyspepsia, Acidosis, Coated Tongue, Offensive Breath, Colic, Distress After Eating, Catarrh of the Stomach. Poor Appetite, Constipation, Irregular

Bowel Movement and Chronic Diarrhoea or Dysentery, Kidney Complaints, Torpid Liver, Bladder Irritation and Weakness, Backache, Headache, Twinges of Pain, Frequent Desire to Urinate, Getting up Nights, Sleeplessness, Dizziness, Billiousness, Chilly Sensation, Spots Before the Eyes, etc. Therefore, if you are a sufferer from any of these ailments and want to quickly and most astonishingly improve your condition, you owe it to yourself to send at once for this marvelous new illustrated Free Book, 'The Substance Of The Sun—Giver Of Supreme Vitality!' Delays Are Dangerous! Act Now * * * Here Is A Valuable And Tested Method For Your Guidance in Checking Up On Your Condition You may not realize just how much below normal you are. In order to give you an easy, satisfactory manner in which to decide, the list below is given here so that you may easily check up on your own condition. The conditions in the list marked with an asterisk (*) show of themselves that you should most certainly use Arium regularly and persistently, even if you have none of the other complaints. Do you tire easily? 5% Are you nervous? 5% Are you irritable? 10% Do you feel tired in the morning when you first get up? 3% Are your hands and feet cold frequently? 3% Do you take cold easily? 2% Do the bones ache? 2% Do you ever have chills? 3% *Do you suffer from rheumatism, neuralgia, neuritis or gout? Do your joints swell? 4% Are you drowsy? 5% Are the face, hands and tongue pale? 3% Is your circulation poor? 5% *Is your blood pressure too high or low? *Are there any eruptions on the body? Do you have frequent headaches? 5% Do you have dizziness at times? 3% Do you ever have sharp or dull pains around the heart? 2% Does your face flush easily? 5% Is your appetite poor? 4% Do you have any distress after meals? 3% Any bloating? 4% Is your breath offensive? 5% Tongue coated? 3% Do you have bad taste in your mouth? 5% Do you have pains or soreness of the chest? 2% Are the bowels irregular? 8% Are you ever troubled with constipation? 6% Is your back weak? 4% *Do you have backache? Do you have a desire to urinate frequently? 3% Do your hands and feet swell? 5% Is there any fullness under the eyelids? 3% *Is your neck swollen or enlarged (Goitre)? *Are your vital powers weakened? *Do you suspect trouble with the prostate gland? *Do you feel the infirmities of age? Do you have trouble with the bladder? 5% Are you troubled with sleeplessness? 10% Do you have sour, watery or windy risings from the stomach? 3% *Are you low spirited and subject to the blues? *Does your brain lack alertness at times? *Does your memory fail? *Are you too thin or underweight? *Have you excessive flesh? Grand Total Keep the foregoing list and refer to it from time to time as you continue the use of Arium and such other radium preparations as you require * * * Watch from day to day how the alarming symptoms disappear and your rapid approach toward a normal state of efficiency, vigorous health, strength, activity," (booklet in box) "A New Scientific Principle for Supplying to the Human Body the Remarkable Energy and Power of Genuine Radium in a Pure, Harmless and Wholesome Form. * * * Arium * * * has a stimulating and tonic effect that is entirely different from that of any drug or medicine known. It gives just the added force and power needed by the human body and is accepted by the blood, tissues and entire system just as withering plants accept sunshine and rain and are revived by them. The uses of Radium as supplied in Arium are many and varied * * * It should be especially valuable among all classes of people for use in cases of general debility, simple anaemia, signs of old age, weakened nerve force, poor circulation, digestive disturbances, hardening of the arteries, sleeplessness, rheumatism and inflammation of the joints, etc. Arium For Everyone Arium is not designed for sick people alone. In fact it is equally recommended for those who have no ailments, but who desire that super-vigor which means so much in the fullest enjoyment of life. * * * For chronic cases * * * While surprising results are often obtained from a short course of Arium, its action is not that of temporary stimulant, but of a nutritive, health-building, energy-giving agent of unusual value. To derive the most beneficial results and get the full accumulative value of the radium, Arium should be taken regularly and systematically. * * * When your nerves are soothed, your muscles and organs function normally, pains are gone and your whole organism seems to be operating smoothly, you will know that Arium has done its work. So pleasant will be the feeling of stimulation from radium that you will never want to let the beneficial effects of radioactivity get out of your body. * * * marvelous form of natural energy. * * * What It May Do for You * * * Arium feeds the body with energy like

giving a fresh charge of current to a run-down storage battery. Arium revitalizes organic matter as nothing else can. Arium stimulates the circulation of the blood, as well as the tissues, mental faculties, etc. Arium makes the entire system feel the influence of the greatest force known to mankind in the most pleasing manner. Arium gives a direct positive action almost immediately to every part of the body. Arium gives new strength, fresh ambition, sparkling vitality, invigorates the constitution and instills a feeling of renewed youth. Arium Improves Blood And Glands Arium will increase the red blood cells enormously in many cases, thus enriching the blood and correcting the circulation. Arium helps bring down blood pressure and adds vigor and force to the entire blood system, making it more potent to fight off disease, anemia, etc. Arium helps restore arteries to a pliable condition. Arium helps invigorate the ductless glands and regulate their secretions, thereby setting up healthy glandular functioning which is the real answer to the perfect charm of womanhood and the virile strength of manhood. For General Debility Arium will impart the right kind of energy to the organs and make you feel energetic, virile and vigorous. In this way it will help overcome general debility and enable you to live a normal healthy life. Even elderly people will feel the thrilling vibrations of positive youthful virility. Arium will help overcome sluggishness by carrying off waste and poisonous matter and in this way will purify, invigorate and tone up the system. Arium For Rheumatic Troubles, Poor Appetite, Nervousness Arium helps scatter inflammation and eliminate uric acid and poisonous carbon dioxide from our bodies thus relieving us of the different ailments most of us have, neuralgia, neuritis, etc. Arium stimulates the glands in the digestive tract and sharpens our appetites as well as helping our digestive organs to do their work. Arium acts on the tissues of our nerves to strengthen and soothe them, thus bringing peace and restfulness to those who are nervous. Arium does what drugs cannot do because it acts in a natural physical manner entirely. Arium, by keeping the body radio-active, helps keep us immune from a great many of the diseases and epidemics that are constantly occurring. * * * How Radium Was Discovered To Be Good For Us * * * tremendously vital force of the Ages. At first it was not known that Radium could be used for curative purposes. For years, however, physicians were unable to account for the marvelous results obtained from certain spring waters, while others of exactly the same chemical analysis gave very little beneficial results. The mystery was not solved until it was found that the health-giving springs contained radium in very small amounts. The medical world then knew that radium had tremendous influence on the human body, that by drinking radio-active spring waters one could take into his body a definite amount of radium energy which permeated the whole system and accomplished wondrous results. Yet each Arium tablet contains from 100 to 1,000 times as much radium as a quart of many radio-active spring waters. It was noticed too that people who work in radium mines enjoyed remarkable health and robust strength. Apparently, simply breathing the emanations from radium kept them free from neuritis, rheumatism, neuralgia, hardening of the arteries, headaches, digestive disorders and a hundred other maladies. It kept them filled with the feeling of youth * * *. Discovery Of Arium Perhaps not since the discovery of the element of radium itself has Science achieved a greater triumph than in the discovery of a means for placing in the human body the greatest form of harmless, yet powerful energy ever known to the world. It seems that it was by the hand of Fate, working for the benefit of humanity, that Arium was discovered in Paris where Radium itself was discovered. * * *. Under the trade-mark name of Arium the marvelous, health-giving energy of radium is prepared in tablet form. * * * Arium may be used with beneficial results by men, women and children. Just Why The Body Needs Radium Physicians know that many of the foods we eat tax our digestive organs to such an extent that little energy remains in our bodies for any other work. In other words, the power or energy—the force that moves us—that is supplied by our morning meal is largely used up to digest and assimilate the noon meal and there is little reserve force for the many needs of the body. We must have surplus energy—extra power—and that is exactly what radium feeds to the system—that surplus power or energy which governs our intelligence, our dispositions, and in fact, determines

whether we are to be winners in the game of life or losers. Supplies Energy Lacking In Foods Science has shown that many human ills may be directly traced to the fact that most people fail to eat the proper kind of food. Yet every act that we do during our lifetime—even the winking of an eyelash—saps some portion of our energy, tears down tissues and lessens our resistance to disease. Thus, because our food is robbed of its up-building, vital forces, there is nothing to replace old wornout tissues and keep the body filled with the abundance of strength and energy Nature intended. As a result there is a noticeable loss of vitality of one kind or another and that is why so many people you meet always have something the matter with them. It is to prevent this very thing that radium is recognized as the most potent force ever known. Radium is a natural stimulator and up-building agent for all the tissues and organs of the body. How Arium Gives You The Life Building Energy Of Radium When you take Arium tablets they liberate millions of rays of energy while in the body and these rays give the tissues an agreeable stimulus tending to produce a harmless, gentle, internal massage that induces normal functioning of the organs, muscles, etc. Arium acts as the carrier of enormous energy in the body as nothing else possibly can. Radium, which is in each Arium tablet, has been called the very essence of life. Some physicians have described it as life itself, and one distinguished physician speaks of it as the greatest benefit to mankind that has ever emanated from the laboratory of the Almighty. Many physicians believe radium to be a tremendous factor in materially lengthening life. When you take Arium you should become conscious of a feeling of extreme well-being with a sense of healthful exhilaration and buoyancy. You will become aware of some strange mystic form of energy that opens up for you a new world of health, pleasure and happiness. Marvelous Action Of Arium The action of Arium is direct—not indirect. It produces a kind of energy within the body that is absolutely necessary to the human system for the building of that surplus strength and endurance which is so necessary to ward off sickness and prolong life and youth. Tonics for the blood alone may give benefit for a time—so may a drug or quieting potion for the nerves or the proper treatment for the liver or kidneys, but the force of radium as supplied in Arium reaches the nerves, tissues, blood, muscles, bone, sinew, skin, stomach, liver, kidneys, and every vital organ of the entire body all at the same time. Not only this, but added power is given to each separate tiny cell and bodily force that binds the organs together to help make them function properly. From time immemorial, physicians have administered drugs and medicines for all illness but we are now approaching what might be termed a 'Drugless Age,' for radium has opened up to the world an opportunity to obtain a direct application of energy to the body to perform its mysterious wonders in a way that is not possible with ordinary stimulants or drugs." A portion of the circular contained the additional statements: "Important—Arium must not be regarded as a drug, stimulant or medicine for temporary relief, but as a progressive treatment of astonishing therapeutic value. Its action is that of a gentle internal health-building radium massage, which day by day strengthens every organ, gland, fibre and tissue of your body in a natural manner. A multitude of ailments, pains and disorders, signs of old age, Sexual Weakness and countless alarming symptoms which resisted all other forms of treatment have yielded to its almost unbelievable power. Each succeeding box of Arium should be of greater benefit than the previous one—for it serves to increase the radioactivity of your body that much more. Take it regularly without interruption until the completely satisfactory and successful results you desire, are obtained. Do not miss a single dose." Some consignments were accompanied by a display card bearing the statements: "Amazing New Discovery For Run-Down People Builds Strong Nerves Rich Red Blood And Youthful Health Success Guaranteed Or Money Back."

Analysis by the Bureau of Chemistry of this department of a sample of the article showed that it consisted of tablets containing not more than 8.64 milligrams of radium per tablet.

It was alleged in substance in the libels that the article was misbranded, in that the above-quoted statements borne on the labels were false and fraudulent, since the said article contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed.

On July 25, August 5, September 28 and 29, October 11 and 22, and November 5, 1926, respectively, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

14743. Adulteration of walnut pieces. U. S. v. 21 Cases of Walnut Pieces. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21371. I. S. No. 14531-x. S. No. E-5898.)

On November 11, 1926, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 21 cases of walnut pieces, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been imported into the United States by D. Antolini & Co., and charging adulteration in violation of the food and drugs act.

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a filthy, decomposed, and putrid vegetable substance.

On November 24, 1926, A. Nones & Co., New York, N. Y., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$500, conditioned in part that the good nuts be separated from the bad and the latter destroyed or denatured.

W. M. JARDINE, *Secretary of Agriculture.*

14744. Adulteration of butter. U. S. v. 12 Tubs of Butter. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21330. I. S. No. 2329-x. S. No. C-5229.)

On or about August 17, 1926, the United States attorney for the Middle District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 12 tubs of butter, remaining in the original unbroken packages at Nashville, Tenn., alleging that the article had been shipped by Swift & Co., Lexington, Ky., on or about July 12, 1926, and transported from the State of Kentucky into the State of Tennessee, and charging adulteration in violation of the food and drugs act.

Adulteration of the article was alleged in the libel for the reason that a product deficient in milk fat and containing an excessive amount of moisture had been substituted for butter, which the said article purported to be, and for the further reason that a product which contained less than 80 per cent by weight of milk fat had been substituted for butter, a product which should contain not less than 80 per cent by weight of milk fat as prescribed by the act of March 4, 1923.

On September 20, 1926, Swift & Co., claimant, having admitted the allegations of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$300, conditioned in part that it be reworked or rechurned under the supervision of this department so as to bring it up to the legal standard, namely, 80 per cent by weight of milk fat.

W. M. JARDINE, *Secretary of Agriculture.*

14745. Adulteration of canned corn. U. S. v. 148 Cases of Canned Corn. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 20709. I. S. No. 4261-x. S. No. C-5036.)

On or about December 15, 1925, the United States attorney for the Western District of Oklahoma, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 148 cases of canned corn, at Woodward, Okla., consigned by the New Hartford Canning Co., Pennellville, N. Y., alleging that the article had been shipped from Pennellville, N. Y., on or about July 18, 1925, and transported from the State of New York into the State of Oklahoma, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (Can) "Forget-me-not Brand Golden Sweet Corn * * * Knoxboro Canning Co., Knoxboro, New York."

It was alleged in substance in the libel that the article was adulterated, in that a substance, saccharin, had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, and had been substituted wholly or in part for the said article, for the further reason that saccharin had been mixed therewith in a manner whereby damage or inferiority was concealed, and for the further reason that the article contained an added poisonous and deleterious ingredient, saccharin, which might have rendered it injurious to health.

On November 27, 1926, the New Hartford Canning Co., New Hartford, N. Y., having appeared as claimant for the property and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$500, conditioned in part that it not be transported in interstate commerce except for the purpose of being returned to the manufacturing establishment at New Hartford, N. Y., and not be sold or disposed of contrary to the provision of any Federal or State laws which prohibit the use of saccharin in like products for human consumption.

W. M. JARDINE, *Secretary of Agriculture.*

14746. Adulteration of prunes. U. S. v. 100 Cartons of Prunes. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 21302. I. S. No. 4570-x. S. No. C-5241.)

On September 28, 1926, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 100 cartons of prunes, remaining in the original unbroken packages at St. Louis, Mo., alleging that the article had been shipped by the Ontario Warehouse Co., Chicago, Ill., on or about June 1, 1926, and transported from the State of Illinois into the State of Missouri, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "'Cello-wrapt' Golden West California Prunes Large Goldenripe Fruits Inc. San Francisco."

It was alleged in the libel that the article was adulterated, in that it consisted in whole or in part of a filthy, decomposed, or putrid animal substance.

On November 30, 1926, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

14747. Adulteration of canned salmon. U. S. v. 14,250 Cases, et al., of Canned Salmon. Consent decrees of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 21308, 21309. I. S. Nos. 11103-v, 11104-v. S. Nos. W-2026, W-2031.)

On October 5, 1926, the United States attorney for the District of Oregon, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 26,900 cases of canned salmon, remaining in the original unbroken packages at Portland, Oreg., alleging that the article had been shipped by the Alaska Portland Packers Assoc., in part from Naknek, Alaska, and in part from Nushagak, Alaska, on or about August 9, 1926, and transported from the Territory of Alaska into the State of Oregon, and charging adulteration in violation of the food and drugs act.

It was alleged in the libels that the article was adulterated, in that it consisted in whole or in part of a filthy, decomposed, and putrid animal substance, and in that filthy, decomposed, and putrid salmon had been substituted for normal salmon of good commercial quality.

On October 21 and November 26, 1926, respectively, the Alaska Portland Packers Assoc. having appeared as claimant for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of bonds totaling \$100,000, conditioned in part that it not be sold or otherwise disposed of until it had been reconditioned in a manner satisfactory to this department.

W. M. JARDINE, *Secretary of Agriculture.*

14748. Adulteration of walnuts. U. S. v. 26 Bags of Walnuts. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21350. I. S. No. 13834-x. S. No. E-5889.)

On November 4, 1926, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 26 bags of walnuts, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by Rosenberg Bros. & Co., from San Francisco, Calif., July 20, 1926, and that it had been transported in interstate commerce into the State of New York, and charging adulteration in violation of the food and drugs act.

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a filthy, decomposed, and putrid vegetable substance.

On November 19, 1926, Rosenberg Bros. & Co., San Francisco, Calif., having admitted the allegations of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$600, conditioned in part that the good nuts be separated from the bad and that the bad portion be destroyed or denatured under the supervision of this department.

W. M. JARDINE, *Secretary of Agriculture.*

14749. Adulteration of atropine sulphate tablets, nitroglycerin tablets, and diacetyl morphine hydrochloride tablets. U. S. v. Crown Hypodermic Tablet Co. Plea of guilty. Fine, \$200. (F. & D. No. 19667. I. S. Nos. 13693-v, 13694-v, 16109-v, 16111-v, 16117-v, 16118-v, 16906-v, 16908-v.)

On July 29, 1925, the United States attorney for the Western District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Crown Hypodermic Tablet Co., a corporation, Buffalo, N. Y., alleging shipment by said company, in violation of the food and drugs act, in various consignments, on or about July 3, 1924, from the State of New York into the State of Massachusetts of a quantity of atropine sulphate tablets and nitroglycerin tablets, and on or about July 7 and 8 and August 11, 1924, respectively, from the State of New York into the State of New Jersey of quantities of nitroglycerin tablets, diacetyl morphine hydrochloride tablets, and atropine sulphate tablets, respectively, which said products were adulterated. The articles were labeled in part, variously: "Hypodermic Tablets * * * Atropine Sulphate 1-50 grain" (or "1-100 grain"); "Hypodermic Tablets * * * Nitroglycerine (Glonoin) 1-100 grain"; "Tablet Triturates * * * Nitroglycerine (Glonoin) 1-100 Grain"; "Hypodermic Tablets * * * Diacetyl Morphine Hydrochloride 1-24 Grain." The various products were further labeled "Crown Hypodermic Tablet Co. Buffalo, N. Y."

Analysis by the Bureau of Chemistry of this department of samples of the articles showed that: A sample of the atropine sulphate tablets labeled "1/100 grain" contained 1/125 grain of atropine sulphate per tablet, and two samples of the atropine sulphate tablets labeled "1/50 grain" contained 1/73 and 1/78 grain, respectively, of atropine sulphate per tablet; four samples of nitroglycerin tablets labeled, "1/100 Grain," contained 1/200, 1/154, 1/155, and 1/154 grain, respectively, of nitroglycerin per tablet; a sample of the diacetyl morphine hydrochloride tablets, labeled "1/24 Grain," contained 1/29 grain of diacetyl morphine hydrochloride per tablet.

Adulteration of the articles was alleged in substance in the information for the reason that their strength and purity fell below the professed standard and quality under which they were sold, in that the labels represented that the said tablets contained 1/100 grain of nitroglycerin, 1/50 grain of atropine sulphate, 1/100 grain of atropine sulphate, or 1/24 grain of diacetyl morphine hydrochloride, as the case might be, whereas each of said tablets contained less of the product than represented on the label thereof.

On November 30, 1926, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$200.

W. M. JARDINE, *Secretary of Agriculture.*

14750. Misbranding of toasted almonds. U. S. v. 2 Cases of Toasted Almonds. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 21318. I. S. No. 11046-x. S. No. W-2027.)

On October 15, 1926, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 2 cases of toasted almonds, remaining in the original unbroken packages at Tacoma, Wash., alleging that the article had been shipped by the California Almond Confections Co., from Long Beach, Calif., September 23, 1926, and transported from the State of California into the State of Washington, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: (Retail package) "All Sweet Toasted Almonds from California A Product Of California Almond Confections Company Long Beach, California Net Weight 1 Ounce."

Misbranding of the article was alleged in the libel for the reason that the statement "Net Weight 1 Ounce," borne on the label, was false and misleading and deceived and misled the purchaser, and for the further reason that it was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On December 4, 1926, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

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